



Case Number **ZC-18-177**

ZONING AMENDMENT STAFF REPORT

City Council Meeting Date:
March 5, 2019

Council District 8, 9

Zoning Commission Recommendation:

Approval by a vote of 8-1

Opposition: None

Support: One with changes as submitted

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Jocelyn Murphy</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: **City of Fort Worth Planning and Development Department**

Site Location: Citywide Mapsco: N/A

Proposed Change: An Ordinance amending the Comprehensive Zoning Ordinance of the City of Fort Worth, being Ordinance No. 21653, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (2015), by amending:

- Chapter 4, "District Regulations" To Amend:
 - Article 1, "General" To Add Conditional Use Permit to the list of districts established,
 - Article 3, "Planned Development "PD" District" to revise language in conformance with the creation of Conditional Use Permits;
 - Article 4 "Overlay Districts" To Add Section 4.407 "Conditional Use Permit" to provide for regulations and processes applicable to Conditional Use Permits;
 - Articles 6, 8, And 12, "Residential Use Table," "Nonresidential District Use Table" And "Form-Based Districts" respectively to remove special exception designations and replace with Conditional Use Permit Designations; And
- To Amend Chapter 5, "Supplemental Use Standards" to add certain uses and standards in conformance with the creation of the Conditional Use Permit"

To review the proposed amendments: <http://fortworthtexas.gov/zoning/cases/>

Request: **TEXT AMENDMENT: CREATE CONDITIONAL USE PERMIT**

Background:

Staff is proposing a Zoning Ordinance text amendment to create a new Conditional Use Permit zoning type. A conditional use permit is a zoning tool that allows an owner to use property in a way not otherwise allowed within the current zoning district without changing the zoning district as it is an overlay and not a base zoning district.

The Conditional Use Permit was determined to be a valuable tool because of the past use of the PD Planned Development district to add a single use, add development standards or waivers, the inability to set time limit to allow uses that may be reasonable for a limited amount of time, and the inability to revoke an approved PD use for poor behavior or operation, inaction, or discontinuance of use.

The consideration/approval process is the same as any zoning change or site plan approval including the neighborhood courtesy and legal notices and two public hearings at the Zoning Commission and City Council.

The proposed CUP ordinance will allow uses to be added to a base district, but provides for the City Council to set a time limit including an expiration if preferred. The City Council can also allow for administrative renewal within a timeframe.

The land use charts are updated to shift certain Special Exception uses to the CUP and approved by the City Council instead of the Board of Adjustment. Example uses are bed & breakfast, car wash, and vehicle junkyard. Other uses currently allowed only by Planned Development could also be controlled through the CUP such as halfway house, homeless shelter, gambling, mining, rock/cement crushing. Existing special exceptions that expire will be required to shift to the CUP to continue the use. The land use charts were revised to reflect CUPs, SEs and Ps in appropriate columns.

To renew a CUP, the process will vary based on the initial City Council approval parameters. If City Council approves a CUP with an expiration date, then the owner can decide whether to seek renewal before the expiration and follow the same public hearing process. If City Council approves a CUP with an administrative renewal timeframe, then owner may request renewal, and staff can approve for the same timeframe if there are no permit or code violations. If City Council does not set a timeframe, the CUP use can continue indefinitely with no permit or code violations.

The CUP ordinance also allows for an approved CUP to be revoked as needed for cause which can include Code, Health, or safety/security violations or if a project does not materialize or is discontinued. The zoning CUP overlay that allowed the use would be removed and the corresponding Certificate of Occupancy (CO) would be invalid. The revocation process is the same as the approval process including public notices and hearings.

Enforcement of the approved CUPs is the same as any zoning district. Necessary compliance actions for violations will be taken as is done for any zoning or code violations. Planning and Development staff will work with Code Compliance and Notices of Violation and citations are issued when appropriate. With revocation or expiration, the Code officer will provide a deadline for ceasing operations. Failure to comply can result in additional citations or a case filed through District Court.

The proposed ordinance also includes changes to regulations in the PD Planned Development section since several of the uses that were allowed only by PD are now allowed by CUP only. These regulations were converted to Supplemental Standards. The amendments also establish that CUPs, not PDs, are appropriate for adding a single use/category on one premise. Finally, the amendment clarify that if a variance is denied by the BOA, an application for a PD or CUP will not be accepted for the same waiver within two years.

Staff provided multiple presentations during 2018 on the proposed new Conditional Use Permit tool to interested neighborhood groups upon request as the ordinance was being prepared. The final ordinance was sent to the registered neighborhood associations and alliances city wide for their information and input before the Zoning Commission public hearing.

The case was continued from the January ZC meeting in order to further discuss some detailed concerns that were raised at the hearing. Staff met with the persons who had concerns and worked through some adjustments in the text amendments, including:

1. Separated landfill into a category in the land use chart separate from recycling, and added waste transfer stations and government drop off that are by operation more permanent uses. It was clarified that these are allowed by PD.
2. Created separate category for recycling and similar uses to identify as a PD Planned Development district, unless within 1,000 feet of a residential district or mixed use/form-based district including a residential use, a CF Community Facilities district, or a public or private park when a Conditional Use Permit is required.
3. Clarified that the date range for CUP consideration is not maximized at 10 years and that the term may be greater as identified by the City Council.

4. Clarified that a renewal application to be considered through the public hearing process must be submitted within a period of time to allow for the application to be processed before the CUP expiration date, with 90 days being preferred.
5. Clarified that an application for administrative renewal shall be submitted within 30 days before the CUP expiration date.
6. Add consideration for platting of unplatted property in the consideration of the CUP time extensions.

Two additional recommendations were included at the Zoning Commission:

1. To include an allowance for uses approved as PD's before the adoption of the amendment to be considered legal uses, and
2. Add a line to the non residential land use chart to identify indoor recycling is allowed in I, J, and K districts

Attachments:

Proposed Ordinance Amendments

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX “A” OF THE CODE OF THE CITY OF FORT WORTH (2015), TO AMEND CHAPTER 4, “DISTRICT REGULATIONS” TO AMEND ARTICLE 1, “GENERAL” TO ADD CONDITIONAL USE PERMIT TO THE LIST OF DISTRICTS ESTABLISHED, AMEND ARTICLE 4 “OVERLAY DISTRICTS” TO ADD SECTION 4.407 “CONDITIONAL USE PERMIT” TO PROVIDE FOR REGULATIONS AND PROCESSES APPLICABLE TO CONDITIONAL USE PERMITS; AMEND ARTICLE 3, “PLANNED DEVELOPMENT “PD” DISTRICT” TO REVISE LANGUAGE IN CONFORMANCE WITH THE CREATION OF CONDITIONAL USE PERMITS; AMEND ARTICLES 6, 8, AND 12, “RESIDENTIAL USE TABLE,” “NONRESIDENTIAL DISTRICT USE TABLE” AND “FORM-BASED DISTRICTS” RESPECTIVELY TO REMOVE SPECIAL EXCEPTION DESIGNATIONS AND REPLACE WITH CONDITIONAL USE PERMIT DESIGNATIONS; AND TO AMEND CHAPTER 5, “SUPPLEMENTAL USE STANDARDS” TO ADD CERTAIN USES AND STANDARDS IN CONFORMANCE WITH THE CREATION OF THE CONDITIONAL USE PERMIT”, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of the Texas Local Government Code (“TLGC”) authorizes the governing body of a municipality to adopt zoning regulations to promote the public health, safety, morals, or general welfare and protect and preserve places and areas of historical, cultural, or architectural importance and significance;

WHEREAS, Section 211.005 of the TLGC authorizes the governing body of a municipality to divide the municipality into districts of a number, shape, and size that the governing body considers best for carrying out the provisions of Chapter 211, General Zoning Regulations, within which districts the governing body may regulate the erection, construction, reconstruction, alteration, repair or use of buildings, other structures or land;

WHEREAS, a Conditional Use Permit Overlay is intended to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance by providing an alternative to the current use of the Planned Development “PD” District for areas in transition; and

WHEREAS, a conditional use permit, if granted, may include conditions, including, duration of use and development in accordance with a submitted site plan, placed upon the

development of the property to minimize impacts on nearby uses and ensure compatibility with existing neighborhoods and surroundings; and

WHEREAS, upon the creation of the Conditional Use Permit Overlay, certain uses in the Planned Development “PD” district will be eligible for a conditional use permit and development standards related to those uses will be relocated to the Supplemental Use chapter of the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

Chapter 4, “District Regulations”, Article 4, “Overlay Districts”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add Sec. 4.407 to add language to provide for regulations and requirements for conditional use permits, to read as follows:

Sec. 4.407 CONDITIONAL USE PERMIT (CUP) OVERLAY

(a) PURPOSE AND INTENT.

1. *Purpose and Intent.* This purpose of this section is to set forth the standards for the Zoning Commission and City Council to evaluate proposed conditional uses and provide the procedures for considering and approving conditional use permit applications. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

2. *Relation to Base Zoning District.* The conditional use permit is a zoning overlay that supplements the primary underlying zoning district classification by adding the specified use not otherwise allowed by right in the base zoning district. The zoning designation of property with a conditional use permit shall consist of the base zoning symbol and the overlay symbol as a suffix.

3. *Conditional Use Permit Amendment to Zoning Ordinance.* Every conditional use permit approved under the provisions of this section shall be considered as an amendment to the zoning ordinance as applicable to the property involved.

4. *Status of Conditional Permitted Uses.* The following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.

- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

(b) APPLICATION FOR CONDITIONAL USE PERMIT

1. An application shall be filed with the Planning and Development Department on a form prepared by that department and accompanied by a site plan. An application shall not be accepted for filing until the information required by the application and the site plan is provided and the appropriate filing fee has been paid *or a request for a site plan to be required and considered through the site plan public hearing process.* The Zoning Administrator shall determine the completeness of the application and the required application fee has been paid.

2. The application shall include any additional information as determined by the Zoning Administrator

- a) The application will be scheduled for a public hearing before the Zoning Commission with appropriate notifications, once all comments from the Zoning Administrator have been addressed.
- b) The Zoning Commission and the City Council may request additional information to be included in the application.

3. An application for a conditional use permit may be withdrawn at any time, but if the application has been recommended for denial by the Zoning Commission in compliance with Chapter 3, any new application requesting substantially the same use on all or part of the same described land shall not be considered within one year of withdrawal. No application for a conditional use permit shall be considered for one year after a final decision denying the application by the City Council nor shall an application for a Planned Development District be accepted for one year after denial of a conditional use permit for a substantially similar use.

(c) PROCEDURE

1. *Public hearing required.* The Zoning Commission and the City Council shall hold a public hearing on all applications for conditional use permits. The procedures for public hearings for a request for approval of an application shall be in accordance with Chapter 3, Article 5.

2. *Written notice.* Written notice of the public hearing before the Zoning Commission shall be in conformance with Chapter 3, Article 5.

3. *Zoning Commission recommendation.* All recommendations by the Zoning Commission shall be forwarded to the City Council for the setting and holding of a public hearing thereon. At the public hearing the Zoning Commission shall review the application and receive from the applicant, the city staff, and others who have an interest in the matter, facts and opinions concerning the proposed use and the proposed conditions to which such use would be subject. The Zoning Commission may recommend approval to the City Council with or without conditions or modifications or recommend denial of the application.

4. *City Council.* Upon receipt of the recommendation of the Zoning Commission, the City Council may approve the application or deny the application with or without prejudice. Approval of a conditional use permit shall be by ordinance

(d) STANDARDS.

1. *Factors for Consideration.* When considering applications for a conditional use permit, the Zoning Commission in making its recommendation and the City Council in rendering its decision on the application shall on the basis of the site plan, if applicable, and other information submitted, evaluate the impact of the conditional use on, and the compatibility with surrounding properties and the neighborhoods to ensure the appropriateness of the use at a particular location. The Zoning Commission and the City Council shall consider the following:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses.
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

2. *Conditions.* In approving the application, the Zoning Commission may recommend and the City Council may impose such conditions as are reasonably necessary to mitigate adverse effects of the proposed use in accordance with these standards and the purpose and intent of this section. Conditions and modifications may include, but are not limited to, limitation of building size or height, increased open space, limitations on impervious surfaces, enhanced loading and parking requirements, additional landscaping, curbing, sidewalk, vehicular access and parking improvements, placement or orientation of buildings and entryways, buffer yards, landscaping and screening, signage restrictions and design, maintenance of buildings and outdoor areas, and, development in accordance with a submitted site plan. Conditions imposed shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the conditional use permit; and such conditions shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy.

3. *Waivers and Variances.* The City Council may waive or modify specific standards otherwise made applicable to the conditional use as reasonably necessary to mitigate adverse effects of the proposed use in accordance with the standards and purpose of this section. Conditions imposed by the City Council may not be waived or varied by the Board of Adjustment.

(e) SITE PLAN REQUIREMENTS.

1. *Site plan requirements.* The site plan submitted in support of a request for a conditional use permit shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities, and what protection features are included to ensure that the development will be compatible with existing and allowable development on adjacent property and to mitigate development-related adverse impacts. The site plan shall show at least the following items of information:

- a) A current plat of the site including all easements;
- b) Description of the proposed use(s);
- c) Height, square footage, and setbacks of structures;
- d) Required yards and open space;
- e) Driveway widths and locations, roadway adjustments, traffic control devices, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets, as approved by Transportation and Public Works (TPW). A traffic impact analysis may be necessary as determined by TPW.
- f) Off-street parking and loading areas;
- g) Refuse and service areas including access and screening;
- h) Utilities with reference to location, availability, and compatibility;
- i) Note indicating that the development will comply with the below development standards of Chapter 6 unless otherwise provided on the site plan.
 - Exterior construction material and building design;
 - location and dimensions of signs;
 - Lighting, including shielding and ambient light level not to exceed one (1) foot candle when adjacent to one- or two-family residential zoning districts or uses.
 - Landscaping requirements
- j) An analysis of the existing land uses within 300 feet and the relationship of the proposed development to the existing land uses;
- k) Locations of floodplains and provisions for drainage, as approved by TPW;
- l) Any sustainable construction methods or design to be used in the development;
- m) Surface type of streets, alleys, and sidewalks, existing and proposed; and
- n) Any requested waivers to development standards shall be listed and clearly identified on the site plan.

(f) AMENDMENTS. An amendment is a request for a modification of any condition of a previously approved and currently valid conditional use permit.

1. *Review and Evaluation.* Any revisions to the conditional use permit after the approval by the City Council shall be submitted to the Zoning Administrator for distribution, review and evaluation by city staff prior to resubmission and consideration by the Zoning Commission and City Council where applicable.

2. *Minor amendments.* A conditional use permit is eligible for a minor amendment if the request conforms to the provisions of this section, is in keeping with the intent of the

comprehensive plan, and there have not been more than two minor amendments previously granted pursuant to this subsection.

Minor amendments to an approved site plan, which will not cause any of the following circumstances to occur, may be authorized by the Zoning Administrator:

a. For all zoning districts other than mixed-use, form-based or urban residential:

- 1) A change in the character of the development;
- 2) A five percent or greater increase in the gross floor areas of structures;
- 3) Any substantial and material changes in such external effects on adjacent property as noise, heat, light, glare and vibration;
- 4) A substantial and material reduction in the originally approved separations between buildings;
- 5) Any adverse changes in traffic circulation, safety, drainage or utilities;
- 6) A five percent or greater increase in the height of structures;
- 7) A ten percent or greater reduction in the originally approved setbacks from property lines;
- 8) A five percent or greater increase in ground coverage by structures;
- 9) A five percent or greater reduction in the ratio of off-street parking and loading space (provided that the minimum requirements of Chapter 6, Article 2 are met);
- 10) A change in the size, height, lighting, flashing, animation or orientation of originally approved signs. The decision of the Zoning Administrator as to whether requested changes are minor shall be final and non-appealable.

b. For all mixed-use, form-based or urban residential districts:

- 1) A change in the character of the development;
- 2) A 5% or greater reduction or increase in the gross floor areas of structures;
- 3) Any substantial and material changes in such external effects on adjacent property as noise, heat, light, glare and vibration;
- 4) A substantial and material increase in the originally approved separations between buildings;
- 5) Any adverse changes in traffic circulation, safety, drainage or utilities;
- 6) A 5% or greater reduction or increase in the height of structures;
- 7) A 10% or greater increase in the originally approved front yard setbacks from property lines;
- 8) A 5% or greater reduction or increase in ground coverage by structures;
- 9) A 5% or greater increase in the ratio of off-street parking and loading space unless provided in structured parking (provided that the minimum requirements of Chapter 6, Article 2 are met); and
- 10) A change in the size, height, lighting or orientation of originally approved signs.

The applicant for a minor amendment shall submit a site plan that is consistent with the requirements of subsection (e) above. The submittal shall include the site plan approved with the original application and a revised copy with annotation of the requested changes.

The revised site plan shall be prepared to scale the Zoning Administrator to indicate acceptance of the revised site plan and, if applicable, shall include appropriate signature and seals of the design professional (i.e. architect, engineer, and surveyor) that prepared the site plan. The site plan shall be processed only upon payment of the applicable fee. If approved, the site plan shall be recorded with the ordinance approving the conditional use permit in the office of the City Secretary and kept on file in the Planning and Development Department.

3. *Major Amendments.* Any proposed amendment other than those provided for in subsection (2) above shall be considered a major amendment of a previously approved and currently valid conditional use permit. A new conditional use permit authorization shall be approved in the same manner and under the same procedures as are applicable to the issuance of the original permit.

(g) DURATION

1. *Period of conditional use.* A conditional use permit shall have a minimum time limit of two (2) years not more than ten (10) years *or until such time as determined by the City Council.* The conditional use permit expiration date shall be as set forth in the ordinance approving the permit. As part of the ordinance approving the conditional use permit, the City Council may declare that a conditional use permit is eligible for administrative renewal pursuant to subsection 2(a), below or requires a public hearing renewal pursuant to paragraph 2(b), below.

2. Renewal.

a) *Administrative renewal.* The property owner or representative must file a complete application for renewal with the Zoning Administrator not later than ~~30~~ 90-days before the expiration date of the conditional use permit.

1. The administrative renewal must be for the same time limit as the original grant of the conditional use permit.
2. As part of the application, the property owner or representative shall state that all existing conditional use permit conditions have been complied with, that no changes to the conditions or other provisions of the ordinance granting the conditional use permit are being requested and the conditional use permit is in compliance with the provision of this section.
3. A conditional use permit that is administratively renewed pursuant to this subsection may continue to be administratively renewed in perpetuity so long as the owner or his representative timely files the request for renewal in accordance with the time frame provided above and is in compliance with the conditions imposed, and with all applicable codes and regulations. Failure to timely file during any renewal period renders the conditional use permit ineligible for further administrative renewal.

b) *Public Hearing renewal.* A conditional use permit that is not eligible for administrative renewal shall be scheduled for public hearings before the Zoning Commission and the City Council when an application is filed and accepted as

complete by the Zoning Administrator. The property owner or representative must file a complete application for renewal with the Zoning Administrator not later than 90 days before the expiration date of the conditional use permit. *The conditional use may continue to operate during the public hearing renewal process provided that an application for renewal was submitted 90 days before the date of expiration.* Notice of the public hearing shall be provided as would be required for a new application of a conditional use permit. The Zoning Commission shall make a recommendation to the City Council regarding the proposed renewal based on staff reports, field inspections and evidence presented at its hearing of the following:

1. Documentation of any health and safety concerns including but not limited to:
 - a) Police records, and municipal or other court records as applicable, for time period since Council approval;
 - b) Code Compliance records for time period since City Council approval;
 - c) Any state license required for operation of the use.

(h) DISCONTINUATION OF USE. In the event the use under the conditional use permit is discontinued for six months, the use of the same shall thereafter conform to the regulations of the base zoning district of such property unless a new and separate conditional use permit is granted by the City Council for continuation of the use.

(i) EXPIRATION. A conditional use permit shall expire and be considered invalid if any of the below apply:

1. A building permit, if any, *a plat for unplatted property* or a certificate of occupancy is not issued within 180 days of the date of approval or the building permit subsequently expires, provided however, the Zoning Administrator may authorize an extension the conditional use permit for an additional 180 days for the issuance of a building permit, *to plat the unplatted property* or to obtain a certificate of occupancy.
2. The termination date in the ordinance approving the conditional use permit has passed. Continued operation of the conditional use permit shall require re-approval through the public hearing process.

(j) REVOCATION. If the Zoning Administrator determines based on inspection or reasonable investigation by the City, that there are reasonable grounds for revocation of a conditional use permit, a public hearing shall be set before the Zoning Commission and the City Council.

- a. Circumstances that warrant revocation of an approved conditional use permit include but shall not be limited to the following:
 - a) There is a conviction of a violation of any of the provisions of the zoning ordinance, the ordinance approving the conditional use or any ordinance of the City that affects the property for which the conditional use permit is granted;
 - b) The building, premise, or land uses under the conditional use permit is enlarged, modified, structurally altered, or otherwise significantly changed

without the approval a of a separate conditional use permit for such enlargement, modification, structural alteration or change;

- c) Violation of any provision of the site plan encompassing the property for which the conditional use permit was issue for, terms or conditions of a conditional use permit;
- d) The conditional use permit was obtained by fraud or with deception.
- b. *Revocation process.* The revocation process shall be conducted as for a zoning district change including notice to holder of the conditional use permit and property owners within 300 feet, a public hearing and recommendation by the Zoning Commission, and a public hearing and ordinance amendment consideration by the City Council. The City Council may revoke the conditional use permit, deny the revocation and allow the use to continue, deny the revocation and amend the conditional use permit to attach conditions to assure that the terms, conditions and requirements of the conditional use permit be met.
- c. *Effect of revocation.* Upon the effective date of the revocation, it shall be unlawful to undertake or perform any activity that was previously authorized by the conditional use permit. The property subject to the conditional use permit may be used for any permitted use within the base zoning district.

(k) *Effect on Existing Special Exceptions.* Special exceptions for certain land uses in existence upon the effective date of the adoption of the conditional use permit, shall continue for the term granted by the Board of Adjustment. Upon the expiration of the term for the special exception, a request to continue the use shall conform to the requirements for a conditional use permit.

SECTION 2.

Chapter 4, “District Regulations”, Article 6, “Residential District Use Table”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.601, “Key to Table Designations” subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.603, “Residential District Use Table” to remove certain uses that are obsolete and to revise the table to certain uses from “SE” to “CUP” as provided in Exhibit A, attached:

Sec. 4.601 KEY TO TABLE DESIGNATIONS.

(a) *Permitted uses (P).* A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P*” in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An “SE*” in any cell means that supplemental use standards apply. ~~(Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.)~~ The specific section number of the standard is noted in the right-hand column titled “Supplemental Standards.”

(c) *Conditional use permit (CUP)*. A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. ~~Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.~~

(e) *Supplemental use standards (*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements ~~(Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses)~~ that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “*.”

(f) *Use also included in nonresidential district use table ()*. The “” symbol in the second column from the right (titled “refer to Nonresidential District Use Table”) indicates this use can also be found in the Nonresidential District Use Table in Article 8.

SECTION 3.

Chapter 4, “District Regulations”, Article 8, “Non-Residential District Use Table”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.801, “Key to Table Designations” subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.803, “Non-Residential District Use Table” to remove certain uses that are obsolete and to revise the table to certain uses from “SE” to “CUP” as provided in Exhibit B, attached.

Sec. 4.801 KEY TO TABLE DESIGNATIONS.

(a) *Permitted uses (P)*. A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P*” in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An “SE*” in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(c) *Conditional use permit (CUP)*. A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.

(e) *Supplemental use standards (*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “*.”

(f) *Use also included on residential district use table (<<)*. The “<<” symbol in the second column from the right indicates this use can also be found in the Residential District Use Table in Article 6.

SECTION 4.

Chapter 4, “District Regulations”, Article 12, “Form-Based Code District Table”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.1201, “Key to Table Designations” subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.1203, “Form-Based Code District Use Table” to remove certain uses that are obsolete and to revise the table to certain uses from “SE” to “CUP” as provided in Exhibit C, attached.

Sec. 4.1201 KEY TO TABLE DESIGNATIONS.

(a) *Permitted uses (P)*. A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P*” in any cell means that supplemental use standards apply. (See Chapter 5, Supplemental Use Standards, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures

of Chapter 3, Article 3. An “SE*” in any cell means that supplemental use standards apply. (See Chapter 5, Supplemental Use Standards, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(c) *Conditional use permit (CUP).* A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP* in any cell means that supplemental use standards apply.

(d) *Uses not allowed.* An empty cell indicates that a use is not allowed in the respective zoning district. Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.

(e) *Supplemental use standards (*).* The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “*.”

(f) *Use also included on residential district use table (<<).* The “<<” symbol in the second column from the right indicates this use can also be found in the Residential District Use Table in Article 6.

SECTION 4.

Chapter 4, Article 1, “General”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, Section 4.100 “District Established,” is hereby amended to add the Conditional Use Permits (“CUP”) district to subsection (c) “Overlay districts,” to read as follows:

Sec. 4.100 DISTRICTS ESTABLISHED.

In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and restrict the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged, to protect and preserve places and areas of historical and cultural importance and significance, to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City of Fort Worth is hereby divided into districts that are grouped in classes for convenience of reference as follows.

...

(c) *Overlay districts.*

- (1) Conservation (“CD”) overlay district;
- (2) Historic preservation (“HSE,” “HC,” “DD”) overlay district;
- (3) Urban design (“DUDD”) overlay district-downtown;
- (4) Trinity uptown peripheral zones (“TUP”) overlay district;
- (5) I-35W north corridor (“I-35W”) overlay district; and
- (6) Airport/airfield overlay district.

(7) Conditional Use Permit

...

SECTION 5.

Chapter 4, “District Regulations”, Article 3, “Planned Development Districts”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to amend Section 4.300 to restate the purpose and intent for planned development districts and provide for the creation of planned development districts and shall read as follows:

Sec. 4.300 PURPOSE AND INTENT.

~~The planned development (“PD”) district is intended to provide for greater flexibility and discretion in the development of residential, commercial, industrial and institutional uses and combinations of such uses. The “PD” district is intended to provide for increased compatibility and more effective mitigation of potentially adverse impacts than is possible under conventional district regulations. It is recognized that it is desirable for certain improved sites within the city to be redeveloped and for other unimproved sites to be developed symbiotically with adjacent improved land in accordance with site plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.~~

The purpose of a planned development (“PD”) district is to encourage the unified design of residential, commercial, industrial and institutional uses, *including combinations of uses or combinations thereof* in accordance with the comprehensive plan *requiring flexibility, which is not otherwise attainable under conventional base zoning districts*. A planned development district may be created in any *base zoning* district for the purposes of: ~~of permitting property to be developed with:~~

1. *Allowing for a single additional residential use in residential districts provided such use is permitted in the Residential Use Table; or*
2. *Providing for two or more uses not otherwise allowed or conditional in the zoning district in which the property is located, subject to certain development regulations and a site plan; or*
3. *Modifying the subject to development regulations not otherwise allowed in the base zoning district in which the property is located; or*

4. Placing further restrictions on uses otherwise allowed in the base zoning district where the property is located; or
5. Any combination of items 2 through 4 above.

A planned development district is not intended to circumvent decisions of the Board of Adjustment and an application for a planned development district shall not be accepted within two years of a decision by the Board of Adjustment where the development standard proposed for the planned development district is substantially similar to the request made where there was a final decision by the Board of Adjustment.

SECTION 6.

Chapter 4, "District Regulations", Article 3, "Planned Development Districts", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise subsection (c) of section 4.301 to provide that an application for a planned development district may not be amended to a conditional use permit overlay during the public hearing process but shall require a new application and shall read as follows:

Sec. 4.301 DESIGNATION OF "PD" DISTRICT.

...

(c) Application. An application for site plan approval shall be filed with the planning and development department on a form prepared by that department and accompanied by a site plan. No site plan shall be accepted for filing until the appropriate filing fee has been paid. *An application for a planned development district may not be amended to a conditional use permit overlay during the public hearing process but rather shall require a new application and public hearing.*

SECTION 7.

Chapter 4, "District Regulations", Article 3, "Planned Development Districts", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise subsections (b), (c) and (d) of section 4.305 to delete the development standards language for certain land uses that will, upon adoption of this ordinance, be designated as conditional use permits and relocate the applicable development standards to Chapter 5, Article 1, to read as follows:

Sec. 4.305 USES.

....

~~(b) *Residential planned developments.* The following may be permitted through approval of a planned development in accordance with the procedures in this article. Halfway houses are permitted only through approval of a planned development.~~

~~(1) *Halfway houses.*~~

~~a. The applicant shall submit the following information to the Planning and Development Department:~~

~~1. Area plan showing zoning classifications and land uses of all property within one-quarter mile of the site of the proposed halfway house. The area plan must specifically identify all uses related to children, such as schools, places of worship, parks, playgrounds, day care centers, public and private youth centers, public swimming pools and video arcade facilities. The applicant is expected to make a good faith effort to locate all such uses;~~

~~2. Site plan for the property, in compliance with this article. The site plan shall include a floor plan detailing room sizes, sleeping areas, number of beds, training rooms, kitchen and food service areas, bathrooms, recreational areas and all other uses. The site plan requirement cannot be waived by the Zoning Commission;~~

~~3. Copy of the contract governing the operation of the facility;~~

~~4. Security plan identifying security features of facility; and~~

~~5. Copy of policies and rules for operation of the facility.~~

~~b. The Zoning Commission shall consider comments from the police department and Planning and Development Department concerning the documentation described above prior to recommending approval of any zoning change request for a halfway house.~~

~~c. Notification of the requested zoning change shall be sent to the owners of all property within 1,000 feet of the property on which the change in zoning is proposed, in accordance with the procedure set out in state law and local ordinances, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. Notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing as required by state law and shall be at least five inches by eight inches.~~

~~d. If the owner or operator of a nonconforming halfway house wishes to expand the facility or make structural alterations which require the approval of the Board of Adjustment, notification of the request shall be sent to the owners of all property within 1,000 feet of the property on which the expansion is proposed, in accordance with the rules of procedure of the Board of Adjustment, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. In addition, notice of the time and place of the hearing before the Board of Adjustment shall be published in~~

~~an official newspaper or a newspaper of general circulation at least 15 days before the hearing and shall be at least five inches by eight inches.~~

~~(2) Residential dwellings, either exclusively or in combination with commercial, light industrial and/or institutional uses. The designated multifamily component of the planned development may contain more than 24 units per acre only in areas designated as mixed use growth centers in the comprehensive plan. When the multifamily component of a planned development contains more than 24 units per acre, the applicant shall submit a service impact analysis to address impact on sewer and water service, traffic, storm drainage, nearby recreational amenities and residential land uses within one-half mile, in addition to submitting a site plan in accordance with this article. For purposes of this section, a light industrial use is any use allowed in the "I" light industrial district and an institutional use is any use allowed in the "CF" community facilities district.~~

(b) *Reserved*

(c) *Specific commercial uses permitted in "PD" district only.* The following uses are permitted only through approval of a planned development in accordance with the procedures in this article.

~~(1) Gambling facilities or other operations featuring games of chance, including bingo parlors;~~

~~(2) Horse, dog or automotive racing.~~

~~a. Additional development controls shall be required, as follows:~~

~~1. Holding areas for horses or dogs shall be provided in case of fire;~~

~~2. An approved emergency plan and an approved evacuation plan shall be provided;~~

~~3. Security plans shall be provided and reviewed by the police department;~~

~~4. Spectator parking lots shall be 500 feet from any one or two family districts;~~

~~5. Other facilities, including accessory uses and facilities such as the race track and the bleachers, shall be 1,000 feet from any one or two family district and from any multifamily district not a part of race track as a mixed use;~~

~~6. The parking required shall be one space for every two spectator seats and one space for every ten square feet of spectator standing area;~~

~~7. When located within or adjacent to any city, state or national historic district, the racetrack building and structures shall be designed to be compatible with said district;~~

~~8. An approved solid waste disposal plan shall be provided and set into operation upon occupancy of the racetrack and its buildings and structures; and~~

~~9. All support activities and other proposed uses, which the site may include, shall be specifically identified.~~

~~b. In addition to site plan requirements and development controls above, the following design considerations shall be incorporated where feasible:~~

~~1. Impact studies (such as traffic impact) on the effects of the track operations on adjacent lands. Such studies shall include setbacks; street, arterial and highway access; and buffering of properties surrounding the racetrack site;~~

~~2. Compartmentalization of parking areas for traffic circulation and emergency vehicle circulation;~~

~~3. Emergency vehicle access around site located at the bleachers area with connection through the spectator parking lots to the user area;~~

~~4. Height of buildings and structures not to exceed 12 stories or 120 feet, whichever is the most restrictive; and~~

~~5. User parking and storage area for trailers and similar vehicles with separate access than from spectator parking area.~~

~~(3) Shooting or weapons firing range (see also § 23-6, Fort Worth city code);~~

~~(4) Hotels and motels within 1,000 feet of a residential district (refer to Supplemental Use Standards, § 5.116, Hotel, Motel or Inn); and~~

~~(5) Mini warehouse.~~

(1 through 5) reserved

(6) Game rooms. Game rooms shall only be considered in existing Light Industrial (“I”), Medium Industrial (“J”) or Heavy Industrial (“K”) districts and the use must then be approved as a Planned Development (“PD”) District. A person, including the manager, operator or owner of a game room, commits an offense if he or she operates or permits the operation, or establishment of a game room in any other zoning district. Additional development controls shall be required, as follows:

a. No game room shall be located within 1,000 feet of a residential use or residential district, church, school or hospital. The distance shall be measured in a straight line without regard to interfering objects or structures from property line to property line or property line to district boundary, whichever is more restrictive.

b. No game room shall be located within 1,000 feet of any other game room from property line to property line.

c. Each entrance to a game room shall be marked with a sign that:

1. Bears the word “GAME ROOM” in six inch or larger black block letters; and
2. is legible from a distance of 25 feet.

d. Every game room shall provide transparent glass in at least one exterior game room window with a dimension of at least four feet in width and four feet in height and shall not cover or otherwise block or obscure the view through a game room window by the use of drawn shades, blinds, partitions, tinting or other structures or obstructions. The window shall allow a clear, unobstructed view of the manager station and all amusement redemption machines in the game room.

e. The sale, purchase, possession or consumption of any alcoholic beverages as defined by the Texas Alcoholic Beverage Code shall not be permitted unless the premises is licensed under the provisions of said code for the sale, purchase or possession of alcoholic beverages.

f. Every game room shall be limited to a maximum of 30 amusement redemption machines.

g. Only one game room shall be allowed on any lot or in any single building, structure or tenant space in a strip center.

h. Only one game room shall be permitted on any platted lot or in any building, structure or strip center.

i. Game rooms are limited to the operation of amusement redemption machines; gambling devices shall not be allowed.

j. A site plan, landscape plan and floor plan of the game room interior shall be submitted in addition to any other plans that may be required by the city's ordinances, drawn to scale and sealed by a professional engineer or professional architect licensed by the state depicting the layout of the game room interior specifically including, but not limited to, the location of all amusement redemption machines, the manager's station(s), restroom facilities, kitchen and bar facilities, if any, and all areas to which patrons will not be permitted.

k. Existing game rooms shall comply with the requirements of this section within 90 days of the effective date of these regulations.

l. One designated parking space shall be provided for each two amusement redemption machines within the game room, plus one additional parking space for each employee per shift.

m. The Board of Adjustment shall not grant any variances to the requirements of this section.

~~—(d) *Specific industrial uses permitted in "PD" district only.* The following uses are permitted only through approval of a planned development in accordance with the procedures in this article:~~

~~—(1) Cement, lime, gypsum or plaster of Paris manufacture;~~

~~—(2) Coke ovens;~~

~~—(3) Creosote treatment or manufacture;~~

~~—(4) Landfill, recycling center, household hazardous waste or waste tire facility;~~

~~—a. Facilities handling, processing and loading of municipal solid waste and recyclable materials for transportation at transfer stations; storage, processing, bailing or reclamation of paper, glass, wood, metals, plastics, rags, junk, concrete, asphalt and other materials at materials recovery facilities and recycling centers; disposal, dumping or reducing of offal or dead animals; composting for yard and wood wastes, municipal solid waste and/or sludge at composting facilities; collection and storage of household hazardous wastes; and processing and storage of scrap tires at waste tire facilities, subject to the requirements set out below. For purposes of this subsection (d), such facilities are further defined by Tex. Administrative Code Title 30, Chapter~~

~~330, Municipal Solid Waste, § 330.3, and Tex. Administrative Code Title 30, Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, § 335.1. The operator shall comply with the following requirements:~~

~~1. Submit a site development plan for review that provides detailed information about the design and development of the facility and that addresses:~~

- ~~i. Zoning and land use within one quarter mile of the site;~~
- ~~ii. Proximity to residences, businesses and other uses;~~
- ~~iii. Availability and characteristics of access roads including current traffic volumes and impact of proposed facility on roads and traffic;~~
- ~~iv. Locations of all existing and proposed buildings, equipment and machinery;~~
- ~~v. Fire prevention and control;~~
- ~~vi. Groundwater, drinking water and surface water protection including wash areas, stream or water course diversions, holding ponds and tanks;~~
- ~~vii. Screening fences, berms, buffers and landscaping;~~
- ~~viii. Provisions for all activities including loading, unloading, handling, processing of materials and maintenance and storage of containers, vehicles and other equipment and machinery to be done within the confines of the facility and behind required screening fences; and~~
- ~~ix. Erection and maintenance of signage at the entrance to the facility that is clearly visible to the public and identifies the owner, operator, business address, telephone number and hours of operation of the facility.~~

~~2. Obtain, maintain and have available on site all required permits and comply with all federal, state and local regulations that relate to the collection, transportation, handling, processing and disposal of all materials for which the facility is approved.~~

~~3. Submit and maintain on site an operations plan that addresses:~~

- ~~i. Provisions for preventing unauthorized wastes and materials from being brought to the facility;~~
- ~~ii. Procedures for identifying, handling, removing, transporting and disposing of unauthorized wastes and materials that may have been brought to the facility;~~
- ~~iii. Procedures for controlling water runoff, erosion, dust, odors, vectors and rodents;~~
- ~~iv. Procedures and employee training for fire prevention and control;~~
- ~~v. Litter control and cleanup; and~~
- ~~vi. Procedures for reporting and handling fuel and chemical spills.~~

~~4. Provide proof of financial security by submitting documents showing compliance with federal and/or state financial assurance requirements or by submission of performance bond~~

~~sufficient to ensure that maximum amount of materials stored or accumulated on-site at any one time can be properly recovered and disposed of in the event that the owner/operator is unable to do so.~~

~~b. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and local regulations, codes and ordinances. The operator and/or owner shall provide in writing for access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety.~~

~~c. The Planning and Development Department may not issue a certificate of occupancy until the operator of such facility submits proof that the operation of the facility has been approved by all applicable federal and state regulatory agencies as required by law.~~

~~(5) Manufacture, processing or production of hazardous chemicals (including acid, ammonia, bleaching powder or chlorine manufacture, and explosives manufacture and storage);~~

~~(6) Manufacture of heavy rubber products;~~

~~(7) Metal smelting, reclamation or ore reduction of tin, copper, lead, zinc or iron ores;~~

~~(8) Mining, quarrying, dredging or excavation of dirt, gravel, sand or stone, for the purpose of removing, screening, crushing, washing or storage of ore, clay, stone, gravel or similar materials, subject to the following requirements:~~

~~a. Provision of a site plan of all existing conditions, including topography at five foot intervals, streams, lakes and other bodies of water, roadways, utility lines, structures and major vegetation, including canopy cover;~~

~~b. Identification of any known protected species of plant, fish or animal life, or the presence of areas of historic, cultural or archeological significance. Such property that is found to be protected or of significant public interest shall not be included in any area approved for mining;~~

~~c. Delineation of all permits and licenses (including NPDES and Texas air control board) required for the operation of such a facility, name of contact person, agency address and telephone number of all permitting agencies and verification of approval of same prior to operation;~~

~~d. Submission of a plan of operation, including scheduling of activities, phasing, traffic generation, employees and use of explosives or other hazardous or caustic materials or chemicals;~~

~~e. Analysis of potential impacts to adjacent properties (especially residential) due to dust, noise, water runoff and diversion, ground water alteration, silting, sedimentation, erosion, traffic and mitigation measures to control such impacts. Submittal of drainage study if deemed necessary by the department of transportation and public works. When deemed appropriate, as a mitigation measure of the site perimeter, City Council may require appropriate buffering, berming, screening and landscaping greater than that required under this zoning ordinance, which shall be maintained in a proper manner at the expense of the property owner. All mitigation measures must be installed and completed prior to any physical mining of the site;~~

~~f. Submission of plan for protection of adjacent rights of way and streets if mining operations are planned within 50 feet of such rights of way and streets, and approval of plans required from the transportation and public works director;~~

~~g. Approvals from all utility service providers, transmission, electric and pipeline companies for work around, near or across such utility facility, including approvals for relocation of such utility facility if required;~~

~~h. Site plan identifying all proposed structures, operating facilities, loading and wash areas, roadways, stream or water course diversions, holding ponds/tanks, temporary power lines and other site improvements;~~

~~i. A reclamation plan, including final topography contours, at five-foot intervals, relocated stream beds, lakes, ponds and other physical features, type and depth of surface material, seeding and replanting plan for restoration of the original canopy cover of the site, including any required cross section and engineering/construction plans as approved by the city forester or a soil conservation scientist. It is recommended that plant materials native to the site be used;~~

~~j. Submission of a performance bond or cash payment for each phase as required under the standard contract for community facilities agreement of the city to ensure that all restoration costs in accordance with the reclamation plan of the site are met;~~

~~k. Provision of a clearly visible sign at the entrance to the mining operation identifying the name, business address and phone number of the facility owner and operator in compliance with the requirements for on-premises signs; and~~

~~l. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and city regulations, codes and ordinances. The operator and/or owner of a mining operation shall provide in writing for the limited access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety. Such access approval shall be a prerequisite and part of the conditions of approval of the "PD" district.~~

~~(9) Packing plants, including slaughtering of animals and processing of by products;~~

~~(10) Oil drilling and production;~~

~~(11) Paper and pulp manufacture;~~

~~(12) Petroleum refining or wholesale storage;~~

~~(13) Rock, cement crushers and stone quarries;~~

~~(14) Rolling mills; and~~

~~(15) Line compressors.~~

~~a. Line compressors shall also be permitted in "I" light industrial, "J" medium industrial and "K" heavy industrial districts.~~

~~b. A site plan is required and shall not be waived.~~

SECTION 8.

Chapter 5, "Supplemental Use Standards", Article 1, "Standards for Selected Use", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Article 1 to add standards for the following uses: halfway houses, horse, dog or automotive racing, landfill, recycling center, household hazardous waste or waste tire facility, mining, and quarrying, dredging or excavation and shall read as follows:

Sec. 5.147 HALFWAY HOUSES.

a. The applicant shall submit the following information to the Planning and Development Department:

1. Area plan showing zoning classifications and land uses of all property within one-quarter mile of the site of the proposed halfway house. The area plan must specifically identify all uses related to children, such as schools, places of worship, parks, playgrounds, day care centers, public and private youth centers, public swimming pools and video arcade facilities. The applicant is expected to make a good faith effort to locate all such uses;

2. Site plan for the property, in compliance with this article. The site plan shall include a floor plan detailing room sizes, sleeping areas, number of beds, training rooms, kitchen and food service areas, bathrooms, recreational areas and all other uses. The site plan requirement cannot be waived by the Zoning Commission;

3. Copy of the contract governing the operation of the facility;

4. Security plan identifying security features of facility; and

5. Copy of policies and rules for operation of the facility.

b. The Zoning Commission shall consider comments from the Police Department and Planning and Development Department concerning the documentation described above prior to recommending approval of any zoning change request for a halfway house.

c. Notification of the requested zoning change shall be sent to the owners of all property within 1,000 feet of the property on which the change in zoning is proposed, in accordance with the procedure set out in state law and local ordinances, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. Notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing as required by state law and shall be at least five inches by eight inches.

d. If the owner or operator of a nonconforming halfway house wishes to expand the facility or make structural alterations which require the approval of the City Council, notification of the request shall be sent to the owners of all property within 1,000 feet of the property on which the expansion is proposed and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. In addition, notice of the time and place of the hearing before the City Council shall be published in

an official newspaper or a newspaper of general circulation at least 15 days before the hearing and shall be at least five inches by eight inches.

Sec. 5.148 HORSE, DOG OR AUTOMOTIVE RACING.

a. Additional development controls shall be required, as follows:

1. Holding areas for horses or dogs shall be provided in case of fire;
2. An approved emergency plan and an approved evacuation plan shall be provided;
3. Security plans shall be provided and reviewed by the police department;
4. Spectator parking lots shall be 500 feet from any one- or two-family districts;
5. Other facilities, including accessory uses and facilities such as the race track and the bleachers, shall be 1,000 feet from any one- or two-family district and from any multifamily district not a part of race track as a mixed use;
6. The parking required shall be one space for every two spectator seats and one space for every ten square feet of spectator standing area;
7. When located within or adjacent to any city, state or national historic district, the racetrack building and structures shall be designed to be compatible with said district;
8. An approved solid waste disposal plan shall be provided and set into operation upon occupancy of the racetrack and its buildings and structures; and
9. All support activities and other proposed uses, which the site may include, shall be specifically identified.

b. In addition to site plan requirements and development controls above, the following design considerations shall be incorporated where feasible:

1. Impact studies (such as traffic impact) on the effects of the track operations on adjacent lands. Such studies shall include setbacks; street, arterial and highway access; and buffering of properties surrounding the racetrack site;
2. Compartmentalization of parking areas for traffic circulation and emergency vehicle circulation;
3. Emergency vehicle access around site located at the bleachers area with connection through the spectator parking lots to the user area;
4. Height of buildings and structures not to exceed 12 stories or 120 feet, whichever is the most restrictive; and
5. User parking and storage area for trailers and similar vehicles with separate access than from spectator parking area.

**Sec. 5.149 LANDFILL, WASTE TRANSFER STATION, GOVERNMENT RECYCLING
DROP OFF CENTER, RECYCLING CENTER WITH OUTDOOR PROCESSING AND
STOCKPILING, HOUSEHOLD HAZARDOUS WASTE OR WASTE TIRE FACILITY.**

a. Facilities handling, processing and loading of municipal solid waste and recyclable materials for transportation at transfer stations; storage, processing, bailing or reclamation of paper, glass, wood, metals, plastics, rags, junk, concrete, asphalt and other materials at materials recovery facilities and recycling centers; disposal, dumping or reducing of offal or dead animals; composting for yard and wood wastes, municipal solid waste and/or sludge at composting facilities; collection and storage of household hazardous wastes; and processing and storage of scrap tires at waste tire facilities, subject to the requirements set out below. *Provided however, a conditional use permit is required when a recycling center with outdoor processing and stockpiling, household hazardous waste or waste tire facility is within 1,000 feet of a residential district or mixed use/form-based district that includes a residential use, a "CF" Community Facilities district, or a public or private park as measured property line to property line of the protected zoning district or park. If an application to create a planned development district to allow one of the uses described in this section is on file with the City prior to the adoption of this section, the City may approved the planned development district, and any use permitted by that planned development district shall be a legal conforming use.* For purposes of this subsection (d), such facilities are further defined by Tex. Administrative Code Title 30, Chapter 330, Municipal Solid Waste, § 330.3, and Tex. Administrative Code Title 30, Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, § 335.1. The operator shall comply with the following requirements:

1. Submit a site development plan for review that provides detailed information about the design and development of the facility and that addresses:

- a) Zoning and land use within one-quarter mile of the site;
- b) Proximity to residences, businesses and other uses;
- c) Availability and characteristics of access roads including current traffic volumes and impact of proposed facility on roads and traffic;
- d) Locations of all existing and proposed buildings, equipment and machinery;
- e) Fire prevention and control;
- f) Groundwater, drinking water and surface water protection including wash areas, stream or water course diversions, holding ponds and tanks;
- g) Screening fences, berms, buffers and landscaping;
- h) Provisions for all activities including loading, unloading, handling, processing of materials and maintenance and storage of containers, vehicles and other equipment and machinery to be done within the confines of the facility and behind required screening fences; and
- i) Erection and maintenance of signage at the entrance to the facility that is clearly visible to the public and identifies the owner, operator, business address, telephone number and hours of operation of the facility.

2. Obtain, maintain and have available on-site all required permits and comply with all federal, state and local regulations that relate to the collection, transportation, handling, processing and disposal of all materials for which the facility is approved.

3. Submit and maintain on-site an operations plan that addresses:

- a) Provisions for preventing unauthorized wastes and materials from being brought to the facility;
- b) Procedures for identifying, handling, removing, transporting and disposing of unauthorized wastes and materials that may have been brought to the facility;
- c) Procedures for controlling water runoff, erosion, dust, odors, vectors and rodents;
- d) Procedures and employee training for fire prevention and control;
- e) Litter control and cleanup; and
- f) Procedures for reporting and handling fuel and chemical spills.

b. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and local regulations, codes and ordinances. The operator and/or owner shall provide in writing for access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety.

c. The Planning and Development Department may not issue a certificate of occupancy until the operator of such facility submits proof that the operation of the facility has been approved by all applicable federal and state regulatory agencies as required by law.

Sec. 5.150 MINING, QUARRYING, DREDGING OR EXCAVATION.

Mining, quarrying, dredging or excavation of dirt, gravel, sand or stone, for the purpose of removing, screening, crushing, washing or storage of ore, clay, stone, gravel or similar materials, subject to the following requirements:

a. Provision of a site plan of all existing conditions, including topography at five-foot intervals, streams, lakes and other bodies of water, roadways, utility lines, structures and major vegetation, including canopy cover;

b. Identification of any known protected species of plant, fish or animal life, or the presence of areas of historic, cultural or archeological significance. Such property that is found to be protected or of significant public interest shall not be included in any area approved for mining;

c. Delineation of all permits and licenses (including NPDES and Texas air control board) required for the operation of such a facility, name of contact person, agency address and telephone number of all permitting agencies and verification of approval of same prior to operation;

d. Submission of a plan of operation, including scheduling of activities, phasing, traffic generation, employees and use of explosives or other hazardous or caustic materials or chemicals;

e. Analysis of potential impacts to adjacent properties (especially residential) due to dust, noise, water runoff and diversion, ground water alteration, silting, sedimentation, erosion, traffic and mitigation measures to control such impacts. Submittal of drainage study if deemed necessary by the department of transportation and public works. When deemed appropriate, as a mitigation measure of the site perimeter, City Council may require appropriate buffering,

berming, screening and landscaping greater than that required under this zoning ordinance, which shall be maintained in a proper manner at the expense of the property owner. All mitigation measures must be installed and completed prior to any physical mining of the site;

f. Submission of plan for protection of adjacent rights-of-way and streets if mining operations are planned within 50 feet of such rights-of-way and streets, and approval of plans required from the transportation and public works director;

g. Approvals from all utility service providers, transmission, electric and pipeline companies for work around, near or across such utility facility, including approvals for relocation of such utility facility if required;

h. Site plan identifying all proposed structures, operating facilities, loading and wash areas, roadways, stream or water course diversions, holding ponds/tanks, temporary power lines and other site improvements;

i. A reclamation plan, including final topography contours, at five-foot intervals, relocated stream beds, lakes, ponds and other physical features, type and depth of surface material, seeding and replanting plan for restoration of the original canopy cover of the site, including any required cross-section and engineering/construction plans as approved by the city forester or a soil conservation scientist. It is recommended that plant materials native to the site be used;

j. Submission of a performance bond or cash payment for each phase as required under the standard contract for community facilities agreement of the city to ensure that all restoration costs in accordance with the reclamation plan of the site are met;

k. Provision of a clearly visible sign at the entrance to the mining operation identifying the name, business address and phone number of the facility owner and operator in compliance with the requirements for on-premises signs; and

l. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and city regulations, codes and ordinances. The operator and/or owner of a mining operation shall provide in writing for the limited access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety. Such access approval shall be a prerequisite and part of the conditions of approval of the use.

SECTION 9.

Chapter 5, “Supplemental Use Standards”, Article 1, “Standards for Selected Use”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Section 5.100 “General” to add a reference to “conditional use permit” and shall read as follows:

Sec. 5.100 GENERAL.

(a) *Relationship to use tables.* The supplemental use standards of this article shall apply only to uses that are so designated in the use tables in Chapter 4, Articles 6 and 8. Where the use

tables do not indicate that supplemental use standards apply, the conditions set forth in this article shall not apply.

(b) *Additional conditions*. Nothing in this article shall prevent the City from imposing additional conditions during either the special exception, conditional use permit or planned unit development review process.

(c) *Distance measurements*. Unless otherwise noted, all measurements are in a straight line (ignoring intervening structures) from the property line of the specified use to the boundary of the designated district.

SECTION 10.

Chapter 5, “Supplemental Use Standards”, Article 1, “Standards for Selected Use”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise the sections listed below to change the references included therein from “special exception” to “conditional use permit” and “Board of Adjustment” to “City Council”:

- Sec. 5.101 Ambulance Dispatch Station
- Sec. 5.106 Bed and Breakfast Home
- Sec. 5.107 Bed and Breakfast Inn
- Sec. 5.111 Day Care Center
- Sec. 5.133 Storage, Non-accessory outside –also change reference from “Chapter 3, Article 3” to “Chapter 4, Article 4”
- Sec. 5.141 Vehicle Junkyard

SECTION 11.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 12.

Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be

fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION 13.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Ordinances Nos. 3011, 13896, 21653 and any other ordinances affecting zoning which have accrued at the time of the effective date of this ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 14.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause, and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 15.

All other provisions of the Zoning Ordinance of the City of Fort Worth not herein amended shall remain in full force and effect.

SECTION 16.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Melinda Ramos
Assistant City Attorney

Mary J. Kayser,
City Secretary

ADOPTED: _____

EFFECTIVE: _____

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Household Living	One-family detached dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	* Not > 10,000 sq. ft. 6.507
	One-family zero lot line detached							P	P	P*	P*	P	P	P	P				>>	6.101(c)
	One-family zero lot line attached (twin home)								P	P	P	P	P	P	P				>>	
	Two-family detached								P	P	P	P	P	P	P				>>	
	Duplex/two-family attached dwelling								P	P	P	P	P	P	P				>>	
	One-family attached (townhouse, rowhouse)										P*	P	P	P	P				>>	6.101(c)
	Cluster housing										P	P	P	P	P				>>	
	HUD-code manufactured housing															P				
	Industrialized housing	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.116.B
	Manufactured home park															P	<u>PD*</u> -		>>	4.202(b)
	Manufactured home subdivision															P				
	Mobile home															P				
	Multifamily dwelling apartment											P*	P*	P*	P*		<u>PD*</u> -		>>	6.506
	Boarding or lodging house												P*	P*	P*				>>	5.107A
	Community home	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		<u>PD*</u>		>>	5.110

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Group Living	Fraternity or sorority house													P	P		PD		>>	
	Group home I												P*	P*	P*		PD*		>>	5.115
	Group home II													P*	P*		PD*			5.115
	Halfway house																<u>CUP</u>		>>	4.305(b) 5.147
	Shelter																<u>CUP</u>		>>	
Education	Day care center (child or adult)	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	CUP		>>	5.111
	Kindergarten	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*				>>	5.118
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>			>>	
Government	Government office facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>			>>	
	Museum, library or fine arts center, government operated or controlled	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
Recreation	Center, community recreation or welfare, private or non-profit	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP</u>		>>	
	Country club (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Golf course	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Recreation	Golf driving range																		>>	
	Neighborhood recreation center	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Park or playground (public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Park (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
Utilities	Electric power substation	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PD		>>	
	Stealth telecommunications towers*	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE				>>	5.137
	Telecommunications antenna (on structure)	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	PD *	-	>>	5.136
	Utility transmission tower or distribution line	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*		PD *	-	>>	5.140
	Water supply, treatment or storage facility	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PD		>>	
Other	Airport, aviation field or landing area	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PD		>>	
	Ambulance dispatch station	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		CUP*		>>	5.101
	Bed and breakfast home								SE - CU p*			SE - CU p*	SE - CU p*	SE - CU p*	SE - CU p*				>>	5.106
	Bed and breakfast inn													SE - CU p*	SE - CU p*				>>	5.107
	Greenhouse or plant nursery	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		CUP*		>>	5.114, 5.133
	Hospice												P	P	P				>>	

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
	Gas drilling and production	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	Ch. 15, city codes; 5.140
	Parking, auxiliary	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP*</u>		>>	6.202(f)
	Short term home rental																			
Accessory	Accessory use or building	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.301
	Home occupation	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.116A
	Large animals	P*	P*	P*	P*	P*	P*	P*	P*										>>	5.307
	Private carport/private porte cochere (reduced rear and side yard setbacks)				P*	P*													>>	5.301(b)(1)
	Private carport/private porte cochere (front yard)	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*								>>	5.301(b)(1)
	Recreation area (private), indoor or outdoor											P	P	P	P				>>	
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	
	Terrace garage (in required yard setbacks)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Amusement, outdoor (temporary)	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP*</u>		>>	5.400
	Batch plant, concrete or asphalt (temporary)	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>CUP*</u>		>>	5.401
	Garage or other occasional sale	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.402

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Temporary	Mobile vendor, fresh market	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				5.406
	Model home	P	P	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				5.403
	Trailer, portable; sales, construction or storage	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.405
	Vendor, door to door	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	9.101
	Vendor, transient	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	9.101
Agricultural	Community Garden	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.146

EXHIBIT B

NONRESIDENTIAL DISTRICT USE TABLE

§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table														
Nonresidential Uses		Commercial						Industrial			Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP	
Household Living	One-family detached dwelling										P*				<<	4.200 (AG) lots not > 10,000 sq. ft.
	One-family attached (townhouse, rowhouse)						P								<<	
	Multifamily dwelling apartment						P								<<	4.305(b), 6.506
	One dwelling unit when part of a business (<u>also considered residence for security purposes</u>)			P	P	P	P	P	P	P						
Group Living	Community home											P*			<<	5.115
	Group home I											P*			<<	5.115
	Group home II											P*			<<	5.115
	Halfway house														<u>CUP*</u>	4.305– 5.147
	Shelter														<u>CUP</u>	
PUBLIC AND CIVIC USES																
Education	College or university			P	P	P	P	P	P	P	P	P				
	Day care center (child or adult)	P	P	P	P	P	P	P	P	P		P			<<	
	Kindergarten	P	P	P	P	P	P	P	P	P		P			<<	
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P			<<	
	Animal shelter									P						
	Correctional facility							P	P	P						
	Government maintenance facility							P	P	P	P	P				

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Government	Government office facility	P	P	P	P	P	P	P	P	P	P	P				<<	
	Governmental vehicle storage/junkyard								P	P							
	Museum, library or fine art center	P	P	P	P	P	P	P	P	P	P	P				<<	
	Probation or parole office			P*	P*	P*	P*	P*	P*	P*							5.127
Health Care Facilities	Ambulance dispatch station	P	P	P	P	P	P	P	P	P		P				<<	
	Assisted living facility		P	P	P	P	P	P	P	P		P					
	Blood bank			P	P	P	P	P	P	P		P					
	Care facility	P	P	P	P	P	P	P	P	P		P					
	Health services facility, including doctor's office or medical clinic	P	P	P	P	P	P	P	P	P		P					
	Hospice	P	P	P	P	P	P	P	P	P		P				<<	
	Hospital	P	P	P	P	P	P	P	P	P		P					
	Massage therapy and spa		P	P	P	P	P	P	P	P		P				<<	
	Nursing home (with full medical services)		P	P	P	P	P	P	P	P		P				<<	
Recreation	Center, community recreation or welfare	P	P	P	P	P	P	P	P	P	P	P	P	P		<<	
	Center, community recreation or welfare, private or non-profit	P	P	P	P	P	P	P	P	P	P	P	P	P		<<	
	Country club (private)	P	P	P	P	P	P	P	P	P	P	P	SE CUP	SE CUP		<<	
	Country club (public)	P										P	SE CUP	SE CUP			
	Golf course		P	P	P	P	P	P	P	P		P	P	P		<<	
	Golf driving range			P	P	P	P	P	P	P		P	P	P			

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table																
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards	
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP			
	Park or playground (public or private)		P	P	P	P	P	P	P	P	SE CUP	P	P	P*		<<	4.204(d)	
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P				<<		
	Place of worship auxiliary use	SE	SE	SE	SE	SE	P	P	P	P	SE	P						
Utilities	Electric power substation	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	P	P	P	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>PD</u>	<<		
	Gas lift compressor stations	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					Ch. 15, Gas city code, 5.140	
	Gas line compressor stations							P*	P*	P*					<u>PD</u>		Ch. 15, Gas city code, 5.140	
	Power plant or central station light								P	P	P	SE						
	Stealth telecommunications towers	SE*	P*	P*	P*	P*	P*	P*	P*	P*	SE*	SE*	SE*	SE*		<<	5.137	
	Telecommunications antenna (on structure)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	SE*	SE*		<<	5.136
Utilities	Telecommunications tower	SE*	SE*	SE*	SE*	P*		P*	P*	P*	SE*	SE*	SE*	SE*		<<	5.137	
	Utility transmission or distribution line	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		<<	5.140	
	Wastewater (sewage) treatment facility							P	P	P		SE CUP						
	Water supply, treatment or storage facility	SE CUP	SE CUP	SE CUP	SE CUP	SE CUP	SE CUP	P	P	P	P	P			PD	<<		
	Amusement, indoor		P	P	P	P	P	P	P	P								
	Amusement, outdoor			P	P	P	P	P	P	P				SE CUP				

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Entertainment and Eating	Baseball/softball facility; other ball fields (commercial)							P	P	P							
	Bowling alley			P	P	P	P	P	P	P							
	Bar, tavern, cocktail lounge, club, private or teen, dance hall				P	P	P	P	P	P							
	Circus								P	P				SE CUP			
	Club, commercial or business			P	P	P	P	P	P	P							
	Drive-in restaurant or business	SE CUP	P*	P*	P*	P*	P*	P*	P*	P*							5.112
	Event center or rental hall		P	P	P	P	P	P	P	P							
	Gambling facility (including bingo)														CUP*		4.305
	Game rooms							PD	PD	PD							4.305(c)
	Health or recreation club	P	P	P	P	P	P	P	P	P							
	Indoor recreation			P	P	P	P	P	P	P							
	Lodge or civic club		P	P	P	P	P	P	P	P		CUP					
	Massage parlor				P	P	P	P	P	P							
	Museum/cultural facility	P	P	P	P	P	P	P	P	P		P					
	Racing, horse, dog or automotive														CUP*		4.305-5.148
	Restaurant, café, cafeteria	CUP	P	P	P	P	P	P	P	P				CUP			Chap 9, Rest
	Sexually oriented business							P*	P*	P*							5.200- Art. 2
	Shooting or weapons firing range														CUP*		4.305
	Stable, commercial, riding, boarding or rodeo arena							P*	P*	P*				SE CUP			5.132

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§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP		
	Swimming pool, commercial		P*	P*	P*	P*	P*	P*	P*	P*				SE CUP			5.135
	Theater, drive-in		CUP	CUP	CUP	CUP	CUP	P	P	P				SE			
	Theater, movie theater or auditorium		P*	P	P	P	P	P	P	P							5.138
	Vendor, food, mobile vendor food court	CUP*	CUP*	CUP*	CUP*	P*	CUP*	P*	P*	P*	CUP*	CUP*	CUP*	CUP*			5.406
Lodging	Bed and breakfast inn	P	P	P	P	P	P	P	P	P						<<	
	Hotel, motel or inn			P*	P*	P*	P	P*	P*	P*							5.116
	Recreational vehicle park			P*	P*	P*	P*	P*	P*	P*				SE CUP*			5.129
	Short term home rental	P	P	P	P	P	P	P	P	P							
Office	Bank, financial institution	P or CUP*	P	P	P	P	P	P	P	P							CUPSE if drive-thru; 5.112
	Offices	P	P	P	P	P	P	P	P	P				SE CUP			
	Antique shop	P	P	P	P	P	P	P	P	P							
	Appliance, sales, supply or repair	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Bakery		P	P	P	P	P	P	P	P							
	Barber or beauty shop	P	P	P	P	P	P	P	P	P							
	Boat rental or sales			P	P	P	P	P	P	P			P	P			
	Book, stationary stores or newstand	P	P	P	P	P	P	P	P	P							
	Burglar alarm sales and service	P	P	P	P	P	P	P	P	P							
	Business college or commercial school		P	P	P	P	P	P	P	P							

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Retail Sales and Service	Caterer or wedding service	P	P	P	P	P	P	P	P	P							
	Clothing/wearing apparel sales, new	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Clothing/wearing apparel sales, used	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Convenience store		P	P	P	P	P	P	P	P							
	Copy store or commercial print without off-set printing	P	P	P	P	P	P	P	P	P							
	Dance studio		P	P	P	P	P	P	P	P							
	Dressmaking, custom; millinery shop	P	P	P	P	P	P	P	P	P							
	Duplicating services	P	P	P*	P*	P*	P*	P	P	P							5.126
	Farmers’ market		P*	P	P	P	P										5.145
	Feed store, no processing/milling		P	P	P	P	P	P	P	P							
	Firewood sales		P*	P*	P*	P*	P*	P	P	P							5.113
	Furniture sales, new and used (office and residential) in a building		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Furniture upholstery, refinishing or resale			P	P	P	P	P	P	P							
	General merchandise store		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Greenhouse or plant nursery	<u>CUP</u> *	P*	P*	P*	P*	P*	P*	P*	P	<u>SE-CUP</u>		P	P		<<	5.114, 5.134
	Grocery store, meat market		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Gunsmithing, repairs or sales			P	P	P	P	P	P	P							
	Home improvement store	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Interior decorating	P	P	P	P	P	P	P	P	P							

EXHIBIT B

NONRESIDENTIAL DISTRICT USE TABLE

§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Retail Sales and Service	Kennel							P*	P*	P*							5.117
	Large retail store		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Laundry or dry cleaning collection office	P	P	P	P	P	P	P	P	P							
	Laundry, dry cleaning or washeteria		P	P	P	P	P	P	P	P							
	Leather goods shop	P	P	P	P	P	P	P	P	P							
	Liquor or package store		P		P	P	P	P	P	P							
	Locksmith	P	P	P	P	P	P	P	P	P							
	Medical supplies/equipment sales or rental	P	P	P	P	P	P	P	P	P		P					
	Mini-warehouses								P	P					PD		5.143
	Mortuary or funeral home		P	P	P	P	P	P	P	P							
	Newspaper distribution center			P*	P*	P*	P	P	P	P							5.124
	Optician	P	P	P	P	P	P	P	P	P							
	Pawn shop			P*	P*	P*	P*	P*	P*	P*							5.125, 5.134
	Pharmacy (drug store)	P	P	P	P	P	P	P	P	P							
	Photograph, portrait/camera shop or photo finishing	P	P	P	P	P	P	P	P	P							
	Produce market													SE			
	Recording studio		P	P	P	P	P	P	P	P							5.128
	Retail sales, general		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Saddle or harness, repair or sales			P	P	P	P	P	P	P							
	Shoe shine shop	P	P	P	P	P	P	P	P	P							
	Studio, art or photography	P	P	P	P	P	P	P	P	P							
	Tailor, clothing or apparel shop	P	P	P	P	P	P	P	P	P							

EXHIBIT B

NONRESIDENTIAL DISTRICT USE TABLE

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Tattoo parlor			P	P	P	P	P	P	P							
	Taxidermist shop		P	P	P	P	P	P	P	P							
	Veterinary clinic w/indoor kennels		p*	p*	p*	p*	p*	p*	P	P							5.142
	Veterinary clinic w/outdoor kennels							p*	p*	p*							5.142
Vehicle Sales and Service	Auto parts supply, retail			P	P	P	P	P	P	P							
	Automotive repair; paint and body shop			p*	p*	p*	p*	p*	p*	p*							5.104
	Car wash, full or self service			SE-CUP	SE-CUP	SE-CUP	SE-CUP	p*	p*	p*							5.108
	Gasoline sales		P	P	P	P	P	P	P	P							
	Mobile home or manufactured housing sales							P	P	P							
	Parking area or garage, storage commercial or auxiliary	p*	p*	p*	p*	p*	p*	p*	p*	p*		p*		SE-CUP*		<<	6.202
	Recreational vehicle (RV) sales/service							P	P	P							
	Service station			p*	p*	p*	p*	P	P	P							
	Towing yard with office							P	P	P							
	Truck stop w/fuel and accessory services							P	P	P							
	Vehicle junkyard								SE-CUP*	SE-CUP*							5.141
	Vehicle sales or rental; including automobiles, motorcycles, boats or trailers			P	P	P	P	P	P	P							
	Vehicle steam cleaning							P	P	P							
	LIGHT INDUSTRIAL																

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Light Industrial Services	Assaying							P*	P*	P							5.103
	Assembly of pre-manufactured parts, except for vehicles, trailers, airplanes or mobile homes							P	P	P							
	Blacksmithing or wagon shop							P	P	P							
	Bottling works, milk or soft drinks							P	P	P							
	Carpet and rug cleaning							P	P	P							
	Chicken battery or brooder								P	P							
	Coal, coke or wood yard							P	P	P							
	Crematorium							P	P	P							
	Data center							P	P	P							
	Electroplating							P	P	P							
	Fabricating or manufactured housing, temporary or office building							P	P	P							
	Food processing (no slaughtering)							P	P	P							
	Furniture or cabinet repair or construction							P	P	P							
	Furniture sales, with outside storage/display (new/used)							P	P	P							
	Galvanizing, small utensils							P	P	P							
	Machine shops							P*	P	P							5.120

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NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP		
Light Industrial Services	Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing preparations, boats under 28 ft. in length, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats or dresses for wholesale trade							P*	P	P							5.120
	Manufacture of aluminum, brass or other metals or from bone, paper, rubber, leather and plastics							P*	P	P							5.120
	Manufactured home/RV repair							P	P	P							
	Monument/marble works, finishing and carving only							P	P	P							
	Monument works, stone							P	P	P							
	Outdoor sales and storage <u>Including yards, contractors, lumber or storage, automobiles, storage yards, building materials</u>							SE -P*	P*	P*					SE -CUP*		5.133 <u>CUP if no primary use</u>
	Paint mixing or spraying							P	P	P							
	Paper box manufacture							P	P	P							
	Pattern shop							P	P	P							
	Printing, lithographing, book-binding, newspapers or publishing						P	P	P	P							
	Rubber stamping, shearing/punching							P	P	P							

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Rubber stamp manufacture						P	P	P	P							
	Sheet metal shop							P*	P*	P							5.131
	Warehouse or bulk storage							P*	P*	P*							5.143
	Welding shop, custom work (not structural)							P	P	P							
	Yards, contractors, lumber or storage, automobiles, storage yards, building materials								SE*	SE*	SE*						
MEDIUM AND HEAVY INDUSTRIAL																	
	Animal by-products processing								P	P							
	Batch plant, concrete or asphalt (permanent)									P							
	Brewery, distillery or winery								P	P							
	Brick, clay, glass, shale, tile or terra cotta products manufacture								P	P							
	Cement products plant								P	P							
	Cement, lime, gypsum or plaster of Paris manufacture																
	Cotton gin, cotton oil mill, bailing or compress									P							
	Creosote, treatment/manufacture																
	Egg cracking or processing									P							

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Heavy Industrial Manufacturing	Furnace, blast, forge plant, boiler works manufacture									P							
	Galvanizing, sheet or structural shapes									P							
	Gas (natural or artificial) manufacture processing/storage									P							
	Glue manufacture									P							
	Grain elevator								P	P							
	Magnesium casting, machining or fabricating									P							
	Manufacture of acetylene or oxygen gas. alcohol, computers and related electronic products, airplanes, automobiles, trucks and tractors (including assembly plants), ball or roller bearings, steel tanks, candles and celluloid, cash registers, cutlery, disinfectants, dextrin, dyestuff, electrical machinery, farm tools, type writers and vinegar									P							
	Manufacture of basket material, bicycles, boots, boxes other than paper, caskets, shoes									P	P						
	Manufacture of dyes, cores, die-casting molds									P	P						

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Manufacture, processing/production of hazardous chemicals														<u>CUP</u>		
	Metal casting								P*	P*							5.121
	Metal foundry plant or fabrication plant									P*							5.122
	Metal smelting, reclamation or ore reduction														<u>CUP</u>		
	Metal stamping, dying, shearing or punching								P*	P							5.123
	Mill, feed or flour									P							
	Mining quarry, dredging or excavation of rock, dirt, gravel, sand, stone <u>including rock and cement crushers</u>														<u>CUP*</u>		4.305 — <u>5.150</u>
	Packing plant														<u>CUP</u>		
	Paper or pulp manufacture														<u>CUP</u>		
	Petroleum, refining or wholesale storage														<u>CUP</u>		
	Planing mill or woodworking shop									P	P						
	Poultry killing or dressing									P	P						
	Rock cement crushers and stone quarry														<u>P</u>		
	Rolling mill														<u>CUP</u>		
	Soap manufacture										P						
	Soda or compound manufacture										P						
	Stoneyard, building stone, cutting, sawing or storage										P						

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Tar distillation/manufacturing									P							
	Tobacco (chewing) manufacture or treatment									P							
	Welding shop, <u>production</u>									P							
Transportation	Airport, aviation field, helistop or landing area	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	PD		
	Passenger station			P	P	P	P	P	P	P							
	Railroad freight or classification yard								P	P							
	Railroad roundhouse or RR car repair shop							P	P	P							
	Railroad tracks; team, spur, loading or storage							P	P	P							
	Terminal, truck, freight, rail or water							P*	P	P							5.139
Waste Related	Landfill, <u>waste transfer station</u> , <u>government recycling drop off center</u> , <u>recycling center</u> , household hazardous waste or waste tire facility														PD*		4.305 <u>5.149</u>
	Pet cemetery														CUP		
	Recycling collection facility/ <u>box</u>		SE*	SE*	SE*	SE*	SE*	P*	P*	P*							5.130
	<u>Recycling center with outdoor processing and stockpiling</u> , <u>household hazardous waste or waste tire facility</u>														PD/ CUP*		<u>5.149</u>

EXHIBIT B

NONRESIDENTIAL DISTRICT USE TABLE

§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table														
Nonresidential Uses		Commercial						Industrial			Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP	
	Recycling center, indoor only with no outdoor sorting or storage activity							P	P	P						
	Salvage yard (other than automotive)														CUP	
Wholesale Trade	Wholesale: bakery, produce market or wholesale house							P	P	P						
	Wholesale office or sample room						P	P	P	P						
OTHER USES																
Agriculture	Agricultural uses										P*		P*	P*		5.307
	Stockyards or feeding pens (commercial)									P*						5.307
	Fresh water fracture ponds and production							P*	P*	P*	P*					Ch. 15 Gas city code
	Gas drilling and production	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			<<	Ch. 15, Gas city code
	Oil drilling and production														PD*	Ch. 15, Gas city code
	Urban agriculture		P*	P*	P*	P*	P*	P*	P*	P*						5.146
	Community garden		P*	P*	P*	P*	P*	P*	P*	P*						5.146
Accessory Uses	Accessory use or building										P*					5.302
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P	P	P	P	P*			CUP*	<<
	Stable, stockyards or feeding pens (noncommercial)										P*					5.307
	Storage or display outside		P*	P*	P*	P*	P*	P	P	P					PD*	5.306
	Amusement, outdoor (temporary)	SE CUP*	SE CUP*	SE CUP*	SE CUP*	SE CUP*	SE CUP*	P	P	P	P	SE* CUP*	SE* CUP*	SE* CUP*	CUP*	<<
	Detached, concrete, one-story	SE	SE	SE	SE	SE	SE				SE*	SE*				

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Temporary Uses	Batch plant, concrete or asphalt (temporary)	<u>CUP*</u>	<u>CUP*</u>	<u>CUP</u>	<u>CUP*</u>	<u>CUP*</u>	SE <u>CUP*</u>	P	P	P	SE* <u>CUP*</u>	SE* <u>CUP*</u>			<u>CUP*</u>	<<	5.401
	Mobile vendor, fresh market		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			5.406
	Residence for security purposes, temporary		SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*							5.404
	Trailer, portable; sales, construction or storage	P	P	P	P	P	P	P	P	P	P	P				<<	
	Vendor, door to door	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				<<	5.406
	Vendor, food, mobile vendor-food court	SE*	SE*	SE*	SE*	P*	SE*	P*	P*	P*	SE*	SE*	SE*	SE*	SE*		5.406
	Vendor, food, non-potentially hazardous food	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, food, potentially hazardous food			P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, merchandise							P*	P*	P*	P*	P*					5.406
	Vendor, transient							P*	P*	P*	P*	P*				<<	9.101
	Vendor, transient, non-potentially hazardous food	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, transient, potentially hazardous food			P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406

EXHIBIT C																													
FORM-BASED CODE DISTRICT USE TABLE																													
§ 4.1203 DISTRICT USE TABLE.																													
4.1203 USES		4.1200 FORM BASED CODE DISTRICTS USE TABLE																											
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU- RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.																													
NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University																													
(** = permitted accessory use; *** = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))																													
PUBLIC AND CIVIC USES																													
Education	College or university	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P							P			
	Day care center (child or adult)	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		SE	SE	P	P	P	P		5.111
																						CUP*	CUP*						
	Kindergarten	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
	School, elementary or secondary (public)																					P	P	P		P	P		
	School, elementary or secondary (private)																							P		P	P		
Government	Business college or commercial school	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P					P	P	P			
	Animal shelter																												
	Correctional facility																												
	Government maintenance facility								P	P	P	P	P	P	P														
	Government office facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P			P	P	P	P	P		
	Governmental vehicle storage/junkyard																												
	Museum, library or fine art center	P	P	P	P	P	P	P	P	P	P	P	P*	P				P	P					P	P	P	P		
	Probation or parole office		P*	P*			P*	P*																P*	P*				5.127

EXHIBIT C

FORM-BASED CODE DISTRICT USE TABLE									
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§ 4.1203 DISTRICT USE TABLE.

4.1203 USES	4.1200 FORM BASED CODE DISTRICTS USE TABLE																												
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU- RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards

ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.

NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University

(** = permitted accessory use; *** = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))

[illegible]

EXHIBIT C																													
FORM-BASED CODE DISTRICT USE TABLE																													
§ 4.1203 DISTRICT USE TABLE.																													
4.1203 USES		4.1200 FORM BASED CODE DISTRICTS USE TABLE																											
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	Water supply, treatment or storage facility	SE	CUP	SE	SE	SE	SE																SE	SE	SE	SE	SE		
		CUP		CUP	CUP	CUP	CUP																CUP	CUP	CUP	CUP	CUP		
Entertainment and Eating	Amusement, indoor	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P					P	P	P			
	Amusement, outdoor		P				P	SE CUP				SE CUP	SE CUP	SE CUP		P	P	P	P										
	Baseball/softball facility (commercial)		P	P	P	P	P																						
	Bowling alley		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P										
	Bar, tavern, cocktail lounge; club, private or teen, dance hall		P		P	P	P	P	P							P	P	P	P					P	P	P			
	Circus																												
	Club, commercial or business		P	P	P	P	P	P								P	P	P	P	P				P	P	P			
	Drive-in restaurant or business	P*	P*	P*	P*	P*	P*		P	P	P	P	P	P	P	P*			P*	P*				P*					5.112
																													See Table 5.2 TLDC
	Event center or rental hall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P		
	Bingo parlor								P	P	P	P	P	P		P	P	P	P										
	Gambling facility (including bingo)																												
	Health or recreation club	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P				P	P	P			
	Indoor recreation		P	P	P	P	P		P	P	P	P	P	P		P	P	P	P	P				P	P	P			
	Lodge or civic club	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			
	Massage parlor		P													P	P	P	P	P			P	P	P	P			

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	Mobile vendor food court	SE* CUP*	P*		P*		P*/ **		CUP*	CUP*	SE* CUP*	SE* CUP*	P*	P*	P*	SE* CUP*	P	P	P	P					P*	P*			5.406
	Museum/cultural facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P	P	P			
	Racing; horse, dog or automotive																												
	Restaurant, café, cafeteria	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Sexually oriented business																												
	Shooting or weapons firing range																												
	Stable, commercial, riding, boarding or rodeo arena																												
	Swimming pool, commercial	P*	P*	P*	P*	P*	P*		P	P	P	P	P	P	P		P		P	P									5.135
	Theater, drive-in	SE CUP			SE CUP	SE CUP	SE CUP	SE CUP											P										
	Theater, movie theater or auditorium	P*	P	P*	P*	P*	P*	P	P	P	P	P	P	P	P		P	P	P	P					P*	P*	P*		
Lodging	Bed and breakfast home																					SE CUP*	SE CUP*	P*	P*	P*			5.106
	Bed and breakfast inn	P	P	P	P	P	P													P	P			P	P	P			
	Hotel, motel or inn		P				P	P	P	P	P	P	P	P	P	P	P	P	P					P	P	P			5.116
	Recreational vehicle park																												
	Short term home rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P		
Office	Bank, financial institution	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			

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	Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Antique shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Appliance, sales, supply or repair	P*	P*	P*	P*	P*	P*	P								P	P	P	P	P			P	P	P	P			5.134
	Bakery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Barber or beauty shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Boat rental or sales		P				P	P																					
	Book, stationary stores or newsstand	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Burglar alarm sales and service		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Caterer or wedding service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Clothing/wearing apparel sales, new	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Clothing/wearing apparel sales, used	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Convenience store	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Copy store or commercial print without off-set printing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Dance studio	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Dressmaking, custom; millinery shop	P	P	P	P	P	P									P	P	P	P	P			P	P	P	P			
	Duplicating services	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P			P	P	P	P			5.126
	Farmers' market	P*							P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			less than 1 acre

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Retail Sales and Service	market																												5.145			
	Feed store, no processing/mill ing			P	P	P	P	P																P	P	P	P					
	Firewood sales	P*	P*	P*	P*	P*	P*	P*																P*	P*	P*				5.113		
	Furniture sales, new and used (office and residential) in a building	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P				5.134		
	Furniture upholstery, refinishing or resale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P						
	General merchandise store	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P					5.134	
	Greenhouse or plant nursery	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P		P	P	P				P	P	P				5.114, 5.134	
	Grocery store, meat market	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P			P				P	P	P	P				5.134	
	Gunsmithing, repairs or sales		P				P	P																	P	P	P					
	Home improvement store	P*	P*	P*	P*	P*	P*	P									P			P				P	P	P	P					5.134
	Interior decorating	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P					
	Kennel																															
	Large retail store	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P		P	P					P	P	P					5.134
	Laundry or dry cleaning collection office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P					

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	Laundry, dry cleaning or washeteria	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P	P	P				
	Leather goods shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P				
	Liquor or package store	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P	P	P				
	Locksmith	P	P	P	P	P	P									P	P	P	P	P			P	P	P	P				
	Medical supplies/equipment sales or rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P				
	Mini-warehouses							P															P	P	P	P				
	Mortuary or funeral home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P										
	Newspaper distribution center		P				P	P									P	P	P	P	P									
	Optician	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Pawn shop		P*				P*	P*									P	P	P	P	P				P*	P*				5.125, 5.134
	Pharmacy (drug store)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Photograph, portrait/camera shop or photo finishing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Recording studio	P	P	P*	P*	P*	P*	P	P	P	P	P	P	P	P		P	P	P	P	P			P*	P*	P*	P*			
	Retail sales, general	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Saddle or harness, repair or sales	P	P	P	P	P	P	P									P	P	P	P	P			P	P	P	P			
	Shoe shine shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Studio, art or photography	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								P	P	P	P			
	Tailor, clothing or apparel shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Tattoo parlor		P				P	P																	P	P	P			

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[illegible]

LIGHT INDUSTRIAL

[illegible]

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	Mini-warehouse											P	P																Uses restricted within 100 feet of Camp Bowie Boulevard in the CB/GC- MU district
	Monument/marble works, finishing and carving only		P				P	P												P*					P	P			See Table 5.2 TLDC
	Monument works, stone		P				P	P												P*					P	P			See Table 5.2 TLDC
	Outdoor sales and storage				P	P	P																						
	Paint mixing or spraying						P													P*									See Table 5.2 TLDC
	Paper box manufacture		P				P	P												P*									See Table 5.2 TLDC
	Pattern shop		P				P	P												P*									See Table 5.2 TLDC
	Printing, lithographing, book-binding, newspapers or publishing		P				P	P	P	P	P	P	P	P	P					P*					P	P	P		See Table 5.2 TLDC
	Rubber stamping, shearing/punching		P				P	P												P*									See Table 5.2 TLDC
	Rubber stamp manufacture		P				P	P																					
	Sheet metal shop		P*			P*	P*													P*									5.131
																													See Table 5.2 TLDC
	Warehouse or bulk storage		P*				P*	P*				P	P																5.143
	Welding shop, custom work (not structural)		P		P	P	P	P												P*					P	P			See Table 5.2 TLDC

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[illegible]

	HEAVY INDUSTRIAL
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[illegible]

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[illegible]

OTHER USES

[illegible]

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NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU- RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University																													
(** = permitted accessory use; *** = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))																													
	Oil drilling and production																												
	Urban agriculture	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	P	P	P	P	P	P		5.146
Accessory Uses	Accessory use or building			P	P	P	P													P	P	P	P	P	P	P	P		
	Home occupation																					P*	P*	P*	P*	P*			5.116A
	Incidental outdoor display							P	P	P	P	P	P	P	P	p**	p**	p**	p**	p**			P*	P*	P*	P*			
	Satellite antenna (dish)	p*	p*	p*	p*	p*	p*	P								P	P	P	P	P	P	P	P	P	P	P	P		
	Stable, stockyards or feeding pens (noncommercial)																												
	Storage or display outside	p*	P	p*	p*	p*	p*																						5.306
	Solar energy equipment							P	P	P	P	P	P	P	P	p** *	p** *	p** *	p** *	p** *	p** *	P	P	P	P	P	P		
	Wind energy equipment							P	P	P	P	P	P	P	P	p** *	p** *	p** *	p** *	p** *	p** *	P	P	P	P	P	P		
	Rain water harvesting equipment															p** *	p** *	p** *	p** *	p** *	p** *	P	P	P	P	P	P		
	Utility equipment (includes electrical transformers, gas meters, etc.)															p** *	p** *	p** *	p** *	p** *	p** *	P	P	P	P	P	P		
	Amusement, outdoor (temporary)	SE* CUP	P	SE*	SE*	SE*	SE*									P	P	P	P				SE*	SE*	SE*	SE*	SE*		5.400

EXHIBIT C																													
FORM-BASED CODE DISTRICT USE TABLE																													
§ 4.1203 DISTRICT USE TABLE.																													
4.1203 USES		4.1200 FORM BASED CODE DISTRICTS USE TABLE																											
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU- RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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Temporary Uses	Batch plant, concrete or asphalt (temporary)	SE*	SE*													P	P	P	P										5.401
	Garage or other occasional sale																					P*	P*	P	P	P			5.402
	Mobile vendor, fresh market	p*	p*	p*	p*	p*	p*		p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*								5.406
	Residence for security purposes, temporary	SE	SE	SE*	SE*	SE*	SE*										P	P	P	P									5.404
	Special event (subject to city's special events ordinance)								P	P	P	P	P	P	P	P	P	P	P										
	Trailer, portable, sales, construction or storage	P	P	P	P	P	P									P	P	P	P										
	Vendor, door-to-door	p*	p*	p*	p*	p*	p*																						5.406
	Vendor, food, mobile vendor food court	SE*	p*		p*		p*/**		SE*	SE*	SE*	SE*	p*	p*	p*	SE*	P	P	P	P					p*	p*			5.406
	Vendor, food, non-potentially hazardous food	p*	p*	p*	p*	p*	p*										P	P	P	P									5.406
	Vendor, food, potentially hazardous food		p*	p*	p*	p*	p*										P	P	P	P									5.406
	Vendor, merchandise		p*	p*	p*	p*	p*																	p*	p*				5.406
	Vendor, transient			p*	p*	p*	p*																	p*	p*				9.101

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	Vendor, transient, non- potentially hazardous food	p*	p*	p*	p*	p*	p*																					5.406	
	Vendor, transient, potentially hazardous food	p*	p*	p*	p*	p*	p*																					5.406	
	Sales from kiosks									P	P	P	P	P	P													(for food vendors other city ordinances apply, not within public ROW)	

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX “A” OF THE CODE OF THE CITY OF FORT WORTH (2015), TO AMEND CHAPTER 4, “DISTRICT REGULATIONS” TO AMEND ARTICLE 1, “GENERAL” TO ADD CONDITIONAL USE PERMIT TO THE LIST OF DISTRICTS ESTABLISHED, AMEND ARTICLE 4 “OVERLAY DISTRICTS” TO ADD SECTION 4.407 “CONDITIONAL USE PERMIT” TO PROVIDE FOR REGULATIONS AND PROCESSES APPLICABLE TO CONDITIONAL USE PERMITS; AMEND ARTICLE 3, “PLANNED DEVELOPMENT “PD” DISTRICT” TO REVISE LANGUAGE IN CONFORMANCE WITH THE CREATION OF CONDITIONAL USE PERMITS; AMEND ARTICLES 6, 8, AND 12, “RESIDENTIAL USE TABLE,” “NONRESIDENTIAL DISTRICT USE TABLE” AND “FORM-BASED DISTRICTS” RESPECTIVELY TO REMOVE SPECIAL EXCEPTION DESIGNATIONS AND REPLACE WITH CONDITIONAL USE PERMIT DESIGNATIONS; AND TO AMEND CHAPTER 5, “SUPPLEMENTAL USE STANDARDS” TO ADD CERTAIN USES AND STANDARDS IN CONFORMANCE WITH THE CREATION OF THE CONDITIONAL USE PERMIT”, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of the Texas Local Government Code (“TLGC”) authorizes the governing body of a municipality to adopt zoning regulations to promote the public health, safety, morals, or general welfare and protect and preserve places and areas of historical, cultural, or architectural importance and significance;

WHEREAS, Section 211.005 of the TLGC authorizes the governing body of a municipality to divide the municipality into districts of a number, shape, and size that the governing body considers best for carrying out the provisions of Chapter 211, General Zoning Regulations, within which districts the governing body may regulate the erection, construction, reconstruction, alteration, repair or use of buildings, other structures or land;

WHEREAS, a Conditional Use Permit Overlay is intended to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance by providing an alternative to the current use of the Planned Development “PD” District for areas in transition; and

WHEREAS, a conditional use permit, if granted, may include conditions, including, duration of use and development in accordance with a submitted site plan, placed upon the

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Highlighted and italicized language is new;
Strikethrough = deleted

development of the property to minimize impacts on nearby uses and ensure compatibility with existing neighborhoods and surroundings; and

WHEREAS, upon the creation of the Conditional Use Permit Overlay, certain uses in the Planned Development “PD” district will be eligible for a conditional use permit and development standards related to those uses will be relocated to the Supplemental Use chapter of the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

Chapter 4, “District Regulations”, Article 4, “Overlay Districts”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add Sec. 4.407 to add language to provide for regulations and requirements for conditional use permits, to read as follows:

Sec. 4.407 CONDITIONAL USE PERMIT (CUP) OVERLAY

(a) PURPOSE AND INTENT.

1. *Purpose and Intent.* This purpose of this section is to set forth the standards for the Zoning Commission and City Council to evaluate proposed conditional uses and provide the procedures for considering and approving conditional use permit applications. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

2. *Relation to Base Zoning District.* The conditional use permit is a zoning overlay that supplements the primary underlying zoning district classification by adding the specified use not otherwise allowed by right in the base zoning district. The zoning designation of property with a conditional use permit shall consist of the base zoning symbol and the overlay symbol as a suffix.

3. *Conditional Use Permit Amendment to Zoning Ordinance.* Every conditional use permit approved under the provisions of this section shall be considered as an amendment to the zoning ordinance as applicable to the property involved.

4. *Status of Conditional Permitted Uses.* The following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated “CUP” in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.

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- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

(b) APPLICATION FOR CONDITIONAL USE PERMIT

1. An application shall be filed with the Planning and Development Department on a form prepared by that department and accompanied by a site plan. An application shall not be accepted for filing until the information required by the application and the site plan is provided and the appropriate filing fee has been paid or a request for a site plan to be required and considered through the site plan public hearing process. The Zoning Administrator shall determine the completeness of the application and the required application fee has been paid.

2. The application shall include any additional information as determined by the Zoning Administrator

- a) The application will be scheduled for a public hearing before the Zoning Commission with appropriate notifications, once all comments from the Zoning Administrator have been addressed.
- b) The Zoning Commission and the City Council may request additional information to be included in the application.

3. An application for a conditional use permit may be withdrawn at any time, but if the application has been recommended for denial by the Zoning Commission in compliance with Chapter 3, any new application requesting substantially the same use on all or part of the same described land shall not be considered within one year of withdrawal. No application for a conditional use permit shall be considered for one year after a final decision denying the application by the City Council nor shall an application for a Planned Development District be accepted for one year after denial of a conditional use permit for a substantially similar use.

(c) PROCEDURE

1. *Public hearing required.* The Zoning Commission and the City Council shall hold a public hearing on all applications for conditional use permits. The procedures for public hearings for a request for approval of an application shall be in accordance with Chapter 3, Article 5.

2. *Written notice.* Written notice of the public hearing before the Zoning Commission shall be in conformance with Chapter 3, Article 5.

3. *Zoning Commission recommendation.* All recommendations by the Zoning Commission shall be forwarded to the City Council for the setting and holding of a public hearing thereon. At the public hearing the Zoning Commission shall review the application and receive from the applicant, the city staff, and others who have an interest in the matter, facts and opinions concerning the proposed use and the proposed conditions to which such use would be subject. The Zoning Commission may recommend approval to the City Council with or without conditions or modifications or recommend denial of the application.

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Highlighted and italicized language is new;
Strikethrough = deleted

4. *City Council.* Upon receipt of the recommendation of the Zoning Commission, the City Council may approve the application or deny the application with or without prejudice. Approval of a conditional use permit shall be by ordinance

(d) STANDARDS.

1. *Factors for Consideration.* When considering applications for a conditional use permit, the Zoning Commission in making its recommendation and the City Council in rendering its decision on the application shall on the basis of the site plan, if applicable, and other information submitted, evaluate the impact of the conditional use on, and the compatibility with surrounding properties and the neighborhoods to ensure the appropriateness of the use at a particular location. The Zoning Commission and the City Council shall consider the following:

- a) The proposed use is consistent with the Comprehensive Plan;
 - b) The proposed use is compatible with the existing and adjacent uses.
 - c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
 - d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
 - e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.
2. *Conditions.* In approving the application, the Zoning Commission may recommend and the City Council may impose such conditions as are reasonably necessary to mitigate adverse effects of the proposed use in accordance with these standards and the purpose and intent of this section. Conditions and modifications may include, but are not limited to:

- a) *regulation of period of time the use will be allowed,*
- b) *limitation of building size or height,*
- c) *increased open space,*
- d) *limitations on impervious surfaces,*
- e) *enhanced loading and parking requirements,*
- f) *additional landscaping, curbing, sidewalk, vehicular access and parking improvements, ,*
- g) *placement or orientation of buildings and entryways,*
- h) *buffer yards, landscaping and screening,*
- i) *signage restrictions and design,*
- j) *maintenance of buildings and outdoor areas, and,*
- k) *development in accordance with a submitted site plan.*

Conditions imposed shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the conditional use permit; and such conditions shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy.

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3. *Waivers and Variances.* The City Council may waive or modify specific standards otherwise made applicable to the conditional use as reasonably necessary to mitigate adverse effects of the proposed use in accordance with the standards and purpose of this section. Conditions imposed by the City Council may not be waived or varied by the Board of Adjustment.

(e) SITE PLAN REQUIREMENTS.

1. *Site plan requirements.* The site plan submitted in support of a request for a conditional use permit shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities, and what protection features are included to ensure that the development will be compatible with existing and allowable development on adjacent property and to mitigate development-related adverse impacts. The site plan shall show at least the following items of information:

- a) A current plat of the site including all easements;
- b) Description of the proposed use(s);
- c) Height, square footage, and setbacks of structures;
- d) Required yards and open space;
- e) Driveway widths and locations, roadway adjustments, traffic control devices, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets, as approved by Transportation and Public Works (TPW). A traffic impact analysis may be necessary as determined by TPW.
- f) Off-street parking and loading areas;
- g) Refuse and service areas including access and screening;
- h) Utilities with reference to location, availability, and compatibility;
- i) Note indicating that the development will comply with the below development standards of Chapter 6 unless otherwise provided on the site plan.
 - Exterior construction material and building design;
 - location and dimensions of signs;
 - Lighting, including shielding and ambient light level not to exceed one (1) foot candle when adjacent to one- or two-family residential zoning districts or uses.
 - Landscaping requirements
- j) An analysis of the existing land uses within 300 feet and the relationship of the proposed development to the existing land uses;
- k) Locations of floodplains and provisions for drainage, as approved by TPW;
- l) Any sustainable construction methods or design to be used in the development;
- m) Surface type of streets, alleys, and sidewalks, existing and proposed; and
- n) Any requested waivers to development standards shall be listed and clearly identified on the site plan.

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(f) AMENDMENTS. An amendment is a request for a modification of any condition of a previously approved and currently valid conditional use permit.

1. *Review and Evaluation.* Any revisions to the conditional use permit after the approval by the City Council shall be submitted to the Zoning Administrator for distribution, review and evaluation by city staff prior to resubmission and consideration by the Zoning Commission and City Council where applicable.
2. *Minor amendments.* A conditional use permit is eligible for a minor amendment if the request conforms to the provisions of this section, is in keeping with the intent of the comprehensive plan, and there have not been more than two minor amendments previously granted pursuant to this subsection.

Minor amendments to an approved site plan, which will not cause any of the following circumstances to occur, may be authorized by the Zoning Administrator:

- a. For all zoning districts other than mixed-use, form-based or urban residential:
 - 1) A change in the character of the development;
 - 2) A five percent or greater increase in the gross floor areas of structures;
 - 3) Any substantial and material changes in such external effects on adjacent property as noise, heat, light, glare and vibration;
 - 4) A substantial and material reduction in the originally approved separations between buildings;
 - 5) Any adverse changes in traffic circulation, safety, drainage or utilities;
 - 6) A five percent or greater increase in the height of structures;
 - 7) A ten percent or greater reduction in the originally approved setbacks from property lines;
 - 8) A five percent or greater increase in ground coverage by structures;
 - 9) A five percent or greater reduction in the ratio of off-street parking and loading space (provided that the minimum requirements of Chapter 6, Article 2 are met);
 - 10) A change in the size, height, lighting, flashing, animation or orientation of originally approved signs. The decision of the Zoning Administrator as to whether requested changes are minor shall be final and non-appealable.
- b. For all mixed-use, form-based or urban residential districts:
 - 1) A change in the character of the development;
 - 2) A 5% or greater reduction or increase in the gross floor areas of structures;
 - 3) Any substantial and material changes in such external effects on adjacent property as noise, heat, light, glare and vibration;
 - 4) A substantial and material increase in the originally approved separations between buildings;
 - 5) Any adverse changes in traffic circulation, safety, drainage or utilities;
 - 6) A 5% or greater reduction or increase in the height of structures;

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- 7) A 10% or greater increase in the originally approved front yard setbacks from property lines;
- 8) A 5% or greater reduction or increase in ground coverage by structures;
- 9) A 5% or greater increase in the ratio of off-street parking and loading space unless provided in structured parking (provided that the minimum requirements of Chapter 6, Article 2 are met); and
- 10) A change in the size, height, lighting or orientation of originally approved signs.

The applicant for a minor amendment shall submit a site plan that is consistent with the requirements of subsection (e) above. The submittal shall include the site plan approved with the original application and a revised copy with annotation of the requested changes. The revised site plan shall be prepared to scale the Zoning Administrator to indicate acceptance of the revised site plan and, if applicable, shall include appropriate signature and seals of the design professional (i.e. architect, engineer, and surveyor) that prepared the site plan. The site plan shall be processed only upon payment of the applicable fee. If approved, the site plan shall be recorded with the ordinance approving the conditional use permit in the office of the City Secretary and kept on file in the Planning and Development Department.

3. *Major Amendments.* Any proposed amendment other than those provided for in subsection (2) above shall be considered a major amendment of a previously approved and currently valid conditional use permit. A new conditional use permit authorization shall be approved in the same manner and under the same procedures as are applicable to the issuance of the original permit.

(g) DURATION

1. *Period of conditional use.* ~~A conditional use permit shall have a minimum time limit of two (2) years not more than ten (10) years or until such time as determined by the City Council.~~ *Conditional Use Permits shall be in effect for the duration of the use, or for a time period specified in the conditions of approval, or a time period is specified in Chapter 5, Supplemental Use Standards, or until the time a revocation of the permit is effectuated. The expiration date, if any, shall be set forth in the ordinance approving the conditional use permit. As part of the ordinance approving the conditional use permit, the City Council may declare that a conditional use permit is eligible for administrative renewal pursuant to subsection 2(a), below or requires a public hearing renewal pursuant to paragraph 2(b), below.*

2. Renewal.

~~a) Administrative renewal. The property owner or representative must file a complete application for renewal with the Zoning Administrator not later than 30 90 days before the expiration date of the conditional use permit.~~

~~1. The administrative renewal must be for the same time limit as the original grant of the conditional use permit.~~

~~2. As part of the application, the property owner or representative shall state that all existing conditional use permit conditions have been complied with, that no~~

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~~changes to the conditions or other provisions of the ordinance granting the conditional use permit are being requested and the conditional use permit is in compliance with the provision of this section.~~

~~3. A conditional use permit that is administratively renewed pursuant to this subsection may continue to be administratively renewed in perpetuity so long as the owner or his representative timely files the request for renewal in accordance with the time frame provided above and is in compliance with the conditions imposed, and with all applicable codes and regulations. Failure to timely file during any renewal period renders the conditional use permit ineligible for further administrative renewal.~~

- ⇒ a) Public Hearing renewal. A conditional use permit that is not eligible for administrative renewal shall be scheduled for public hearings before the Zoning Commission and the City Council when an application is filed and accepted as complete by the Zoning Administrator. The property owner or representative must file a complete application for renewal with the Zoning Administrator not later than 90 days before the expiration date of the conditional use permit. *The conditional use may continue to operate during the public hearing renewal process provided that an application for renewal was submitted 90 days before the date of expiration.* Notice of the public hearing shall be provided as would be required for a new application of a conditional use permit. The Zoning Commission shall make a recommendation to the City Council regarding the proposed renewal based on staff reports, field inspections and evidence presented at its hearing of the following:
1. Documentation of any health and safety concerns including but not limited to:
 - a) Police records, and municipal or other court records as applicable, for time period since Council approval;
 - b) Code Compliance records for time period since City Council approval;
 - c) Any state license required for operation of the use.

(h) DISCONTINUATION OF USE. In the event the use under the conditional use permit is discontinued for six months, the use of the same shall thereafter conform to the regulations of the base zoning district of such property unless a new and separate conditional use permit is granted by the City Council for continuation of the use.

(i) EXPIRATION. A conditional use permit shall expire and be considered invalid if any of the below apply:

1. A building permit, if any, *a plat for unplatted property* or a certificate of occupancy is not issued within 180 days of the date of approval or the building permit subsequently expires, provided however, the Zoning Administrator may authorize an extension the conditional use permit for an additional 180 days for the issuance of a building permit, *to plat the unplatted property* or to obtain a certificate of occupancy.
2. The termination date in the ordinance approving the conditional use permit has passed. Continued operation of the conditional use permit shall require re-approval through the public hearing process.

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Strikethrough = deleted

(j) **REVOCATION.** If the Zoning Administrator determines based on inspection or reasonable investigation by the City, that there are reasonable grounds for revocation of a conditional use permit, a public hearing shall be set before the Zoning Commission and the City Council.

a. Circumstances that warrant revocation of an approved conditional use permit include but shall not be limited to the following:

- a) There is a conviction of a violation of any of the provisions of the zoning ordinance, the ordinance approving the conditional use or any ordinance of the City that ~~affects~~ occurs on the property for which the conditional use permit is granted;
- b) The building, premise, or land uses under the conditional use permit is enlarged, modified, structurally altered, or otherwise significantly changed without the approval a of a separate conditional use permit for such enlargement, modification, structural alteration or change;
- c) Violation of any provision of the site plan encompassing the property for which the conditional use permit was issue for, terms or conditions of a conditional use permit;
- d) The conditional use permit was obtained by fraud or with deception.

b. *Revocation process.* The revocation process shall be conducted as for a zoning district change including notice to holder of the conditional use permit and property owners within 300 feet, a public hearing and recommendation by the Zoning Commission, and a public hearing and ordinance amendment consideration by the City Council. The City Council may revoke the conditional use permit, deny the revocation and allow the use to continue, deny the revocation and amend the conditional use permit to attach conditions to assure that the terms, conditions and requirements of the conditional use permit be met.

c. *Effect of revocation.* Upon the effective date of the revocation, it shall be unlawful to undertake or perform any activity that was previously authorized by the conditional use permit. The property subject to the conditional use permit may be used for any permitted use within the base zoning district.

(k) *Effect on Existing Special Exceptions.* Special exceptions for certain land uses in existence upon the effective date of the adoption of the conditional use permit, shall continue for the term granted by the Board of Adjustment. Upon the expiration of the term for the special exception, a request to continue the use shall conform to the requirements for a conditional use permit.

SECTION 2.

Chapter 4, “District Regulations”, Article 6, “Residential District Use Table”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.601, “Key to Table Designations” subsections (c) and (d) to add language to provide for

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2.27.2019 STAFF RECOMMENDATION

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conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.603, “Residential District Use Table” to remove certain uses that are obsolete and to revise the table to certain uses from “SE” to “CUP” as provided in Exhibit A, attached:

Sec. 4.601 KEY TO TABLE DESIGNATIONS.

(a) *Permitted uses (P)*. A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P*” in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An “SE*” in any cell means that supplemental use standards apply. ~~(Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column titled “Supplemental Standards.”~~

(c) *Conditional use permit (CUP)*. A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. ~~Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.~~

(e) *Supplemental use standards (*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “*.”

(f) *Use also included in nonresidential district use table (.)*. The “.” symbol in the second column from the right (titled “refer to Nonresidential District Use Table”) indicates this use can also be found in the Nonresidential District Use Table in Article 8.

SECTION 3.

Chapter 4, “District Regulations”, Article 8, “Non-Residential District Use Table”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.801, “Key to Table Designations” subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.803, “Non-Residential District Use Table” to remove certain uses that are obsolete and to revise the table to certain uses from “SE” to “CUP” as provided in Exhibit B, attached.

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Highlighted and italicized language is new;
Strikethrough = deleted

Sec. 4.801 KEY TO TABLE DESIGNATIONS.

(a) *Permitted uses (P)*. A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P*” in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An “SE*” in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(c) *Conditional use permit (CUP)*. A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.

(e) *Supplemental use standards (*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “*.”

(fe) *Use also included on residential district use table (<<)*. The “<<” symbol in the second column from the right indicates this use can also be found in the Residential District Use Table in Article 6.

SECTION 4.

Chapter 4, “District Regulations”, Article 12, “Form-Based Code District Table”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.1201, “Key to Table Designations” subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.1203, “Form-Based Code District Use Table” to remove certain uses that are obsolete and to revise the table to certain uses from “SE” to “CUP” as provided in Exhibit C, attached.

Sec. 4.1201 KEY TO TABLE DESIGNATIONS.

(a) *Permitted uses (P)*. A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P*” in any cell means that supplemental use standards apply. (See Chapter 5,

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Supplemental Use Standards, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An “SE*” in any cell means that supplemental use standards apply. (See Chapter 5, Supplemental Use Standards, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(c) *Conditional use permit (CUP)*. A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.

(e) *Supplemental use standards (*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “*.”

(f) *Use also included on residential district use table (<<)*. The “<<” symbol in the second column from the right indicates this use can also be found in the Residential District Use Table in Article 6.

SECTION 4.

Chapter 4, Article 1, “General”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, Section 4.100 “District Established,” is hereby amended to add the Conditional Use Permits (“CUP”) district to subsection (c) “Overlay districts,” to read as follows:

Sec. 4.100 DISTRICTS ESTABLISHED.

In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and restrict the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged, to protect and preserve places and areas of historical and cultural importance and significance, to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City of Fort Worth is hereby divided into districts that are grouped in classes for convenience of reference as follows.

...

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(c) *Overlay districts.*

- (1) Conservation (“CD”) overlay district;
- (2) Historic preservation (“HSE,” “HC,” “DD”) overlay district;
- (3) Urban design (“DUDD”) overlay district-downtown;
- (4) Trinity uptown peripheral zones (“TUP”) overlay district;
- (5) I-35W north corridor (“I-35W”) overlay district; and
- (6) Airport/airfield overlay district.
- (7) Conditional Use Permit

...

SECTION 5.

Chapter 4, “District Regulations”, Article 3, “Planned Development Districts”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to amend Section 4.300 to restate the purpose and intent for planned development districts and provide for the creation of planned development districts and shall read as follows:

Sec. 4.300 PURPOSE AND INTENT.

~~The planned development (“PD”) district is intended to provide for greater flexibility and discretion in the development of residential, commercial, industrial and institutional uses and combinations of such uses. The “PD” district is intended to provide for increased compatibility and more effective mitigation of potentially adverse impacts than is possible under conventional district regulations. It is recognized that it is desirable for certain improved sites within the city to be redeveloped and for other unimproved sites to be developed symbiotically with adjacent improved land in accordance with site plans prepared and approved as a part of the ordinance authorizing the zoning necessary for the proposed development.~~

The purpose of a planned development (“PD”) district is to encourage the unified design of residential, commercial, industrial and institutional uses, *including combinations of uses or combinations thereof* in accordance with the comprehensive plan *requiring flexibility, which is not otherwise attainable under conventional base zoning districts.* A planned development district may be created in any *base zoning* district for the purposes of: ~~of permitting property to be developed with:~~

1. Allowing for *a single one or more* additional residential uses in residential districts provided such use is permitted in the Residential Use Table; or

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2. *Providing for two or more uses or mix of residential uses not otherwise allowed or conditional in the zoning district in which the property is located, subject to certain development regulations and a site plan; or*
3. *Where required in accordance with the use tables in Chapter 4, Articles 6, 8 and 12. ~~Modifying the subject to development regulations not otherwise allowed in the base zoning district in which the property is located; or~~*
4. *~~Placing further restrictions on uses otherwise allowed in the base zoning district where the property is located; or~~*
5. *~~Any combination of items 2 through 4 above.~~*

A planned development district is not intended to circumvent decisions of the Board of Adjustment and an application for a planned development district shall not be accepted within two years of a decision by the Board of Adjustment where the development standard proposed for the planned development district is substantially similar to the request made where there was a final decision by the Board of Adjustment.

SECTION 6.

Chapter 4, “District Regulations”, Article 3, “Planned Development Districts”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise subsection (c) of section 4.301 to provide that an application for a planned development district may not be amended to a conditional use permit overlay during the public hearing process but shall require a new application and shall read as follows:

Sec. 4.301 DESIGNATION OF “PD” DISTRICT.

...

(c) Application. An application for site plan approval shall be filed with the planning and development department on a form prepared by that department and accompanied by a site plan. No site plan shall be accepted for filing until the appropriate filing fee has been paid. *An application for a planned development district may not be amended to a conditional use permit overlay during the public hearing process but rather shall require a new application and public hearing.*

SECTION 7.

Chapter 4, “District Regulations”, Article 3, “Planned Development Districts”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise

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subsections (b), (c) and (d) of section 4.305 to delete the development standards language for certain land uses that will, upon adoption of this ordinance, be designated as conditional use permits and relocate the applicable development standards to Chapter 5, Article 1, to read as follows:

Sec. 4.305 USES.

....

~~(b) *Residential planned developments.* The following may be permitted through approval of a planned development in accordance with the procedures in this article. Halfway houses are permitted only through approval of a planned development.~~

~~(1) *Halfway houses.*~~

~~a. The applicant shall submit the following information to the Planning and Development Department:~~

~~1. Area plan showing zoning classifications and land uses of all property within one-quarter mile of the site of the proposed halfway house. The area plan must specifically identify all uses related to children, such as schools, places of worship, parks, playgrounds, day care centers, public and private youth centers, public swimming pools and video arcade facilities. The applicant is expected to make a good faith effort to locate all such uses;~~

~~2. Site plan for the property, in compliance with this article. The site plan shall include a floor plan detailing room sizes, sleeping areas, number of beds, training rooms, kitchen and food service areas, bathrooms, recreational areas and all other uses. The site plan requirement cannot be waived by the Zoning Commission;~~

~~3. Copy of the contract governing the operation of the facility;~~

~~4. Security plan identifying security features of facility; and~~

~~5. Copy of policies and rules for operation of the facility.~~

~~b. The Zoning Commission shall consider comments from the police department and Planning and Development Department concerning the documentation described above prior to recommending approval of any zoning change request for a halfway house.~~

~~c. Notification of the requested zoning change shall be sent to the owners of all property within 1,000 feet of the property on which the change in zoning is proposed, in accordance with the procedure set out in state law and local ordinances, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. Notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing as required by state law and shall be at least five inches by eight inches.~~

~~d. If the owner or operator of a nonconforming halfway house wishes to expand the facility or make structural alterations which require the approval of the Board of Adjustment, notification of the request shall be sent to the owners of all property within 1,000 feet of the property on which~~

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the expansion is proposed, in accordance with the rules of procedure of the Board of Adjustment, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. In addition, notice of the time and place of the hearing before the Board of Adjustment shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing and shall be at least five inches by eight inches.

~~(2) Residential dwellings, either exclusively or in combination with commercial, light industrial and/or institutional uses. The designated multifamily component of the planned development may contain more than 24 units per acre only in areas designated as mixed-use growth centers in the comprehensive plan. When the multifamily component of a planned development contains more than 24 units per acre, the applicant shall submit a service impact analysis to address impact on sewer and water service, traffic, storm drainage, nearby recreational amenities and residential land uses within one-half mile, in addition to submitting a site plan in accordance with this article. For purposes of this section, a light industrial use is any use allowed in the “I” light industrial district and an institutional use is any use allowed in the “CF” community facilities district.~~

(b) *Reserved*

(c) *Specific commercial uses permitted in “PD” district only.* The following uses are permitted only through approval of a planned development in accordance with the procedures in this article.

~~(1) Gambling facilities or other operations featuring games of chance, including bingo parlors;~~

~~(2) Horse, dog or automotive racing.~~

~~a. Additional development controls shall be required, as follows:~~

~~1. Holding areas for horses or dogs shall be provided in case of fire;~~

~~2. An approved emergency plan and an approved evacuation plan shall be provided;~~

~~3. Security plans shall be provided and reviewed by the police department;~~

~~4. Spectator parking lots shall be 500 feet from any one- or two-family districts;~~

~~5. Other facilities, including accessory uses and facilities such as the race track and the bleachers, shall be 1,000 feet from any one- or two-family district and from any multifamily district not a part of race track as a mixed use;~~

~~6. The parking required shall be one space for every two spectator seats and one space for every ten square feet of spectator standing area;~~

~~7. When located within or adjacent to any city, state or national historic district, the racetrack building and structures shall be designed to be compatible with said district;~~

~~8. An approved solid waste disposal plan shall be provided and set into operation upon occupancy of the racetrack and its buildings and structures; and~~

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~~9. All support activities and other proposed uses, which the site may include, shall be specifically identified.~~

~~b. In addition to site plan requirements and development controls above, the following design considerations shall be incorporated where feasible:~~

~~1. Impact studies (such as traffic impact) on the effects of the track operations on adjacent lands. Such studies shall include setbacks; street, arterial and highway access; and buffering of properties surrounding the racetrack site;~~

~~2. Compartmentalization of parking areas for traffic circulation and emergency vehicle circulation;~~

~~3. Emergency vehicle access around site located at the bleachers area with connection through the spectator parking lots to the user area;~~

~~4. Height of buildings and structures not to exceed 12 stories or 120 feet, whichever is the most restrictive; and~~

~~5. User parking and storage area for trailers and similar vehicles with separate access than from spectator parking area.~~

~~(3) Shooting or weapons firing range (see also § 23-6, Fort Worth city code);~~

~~(4) Hotels and motels within 1,000 feet of a residential district (refer to Supplemental Use Standards, § 5.116, Hotel, Motel or Inn); and~~

~~(5) Mini-warehouse.~~

(1 through 5) reserved

(6) Game rooms. Game rooms shall only be considered in existing Light Industrial (“I”), Medium Industrial (“J”) or Heavy Industrial (“K”) districts and the use must then be approved as a Planned Development (“PD”) District. A person, including the manager, operator or owner of a game room, commits an offense if he or she operates or permits the operation, or establishment of a game room in any other zoning district. Additional development controls shall be required, as follows:

a. No game room shall be located within 1,000 feet of a residential use or residential district, church, school or hospital. The distance shall be measured in a straight line without regard to interfering objects or structures from property line to property line or property line to district boundary, whichever is more restrictive.

b. No game room shall be located within 1,000 feet of any other game room from property line to property line.

c. Each entrance to a game room shall be marked with a sign that:

1. Bears the word “GAME ROOM” in six inch or larger black block letters; and
2. is legible from a distance of 25 feet.

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d. Every game room shall provide transparent glass in at least one exterior game room window with a dimension of at least four feet in width and four feet in height and shall not cover or otherwise block or obscure the view through a game room window by the use of drawn shades, blinds, partitions, tinting or other structures or obstructions. The window shall allow a clear, unobstructed view of the manager station and all amusement redemption machines in the game room.

e. The sale, purchase, possession or consumption of any alcoholic beverages as defined by the Texas Alcoholic Beverage Code shall not be permitted unless the premises is licensed under the provisions of said code for the sale, purchase or possession of alcoholic beverages.

f. Every game room shall be limited to a maximum of 30 amusement redemption machines.

g. Only one game room shall be allowed on any lot or in any single building, structure or tenant space in a strip center.

h. Only one game room shall be permitted on any platted lot or in any building, structure or strip center.

i. Game rooms are limited to the operation of amusement redemption machines; gambling devices shall not be allowed.

j. A site plan, landscape plan and floor plan of the game room interior shall be submitted in addition to any other plans that may be required by the city's ordinances, drawn to scale and sealed by a professional engineer or professional architect licensed by the state depicting the layout of the game room interior specifically including, but not limited to, the location of all amusement redemption machines, the manager's station(s), restroom facilities, kitchen and bar facilities, if any, and all areas to which patrons will not be permitted.

k. Existing game rooms shall comply with the requirements of this section within 90 days of the effective date of these regulations.

l. One designated parking space shall be provided for each two amusement redemption machines within the game room, plus one additional parking space for each employee per shift.

m. The Board of Adjustment shall not grant any variances to the requirements of this section.

~~—(d) *Specific industrial uses permitted in "PD" district only.* The following uses are permitted only through approval of a planned development in accordance with the procedures in this article:~~

~~—(1) Cement, lime, gypsum or plaster of Paris manufacture;~~

~~—(2) Coke ovens;~~

~~—(3) Creosote treatment or manufacture;~~

~~—(4) Landfill, recycling center, household hazardous waste or waste tire facility;~~

~~—a. Facilities handling, processing and loading of municipal solid waste and recyclable materials for transportation at transfer stations; storage, processing, bailing or reclamation of paper, glass, wood, metals, plastics, rags, junk, concrete, asphalt and other materials at materials~~

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~~recovery facilities and recycling centers; disposal, dumping or reducing of offal or dead animals; composting for yard and wood wastes, municipal solid waste and/or sludge at composting facilities; collection and storage of household hazardous wastes; and processing and storage of scrap tires at waste tire facilities, subject to the requirements set out below. For purposes of this subsection (d), such facilities are further defined by Tex. Administrative Code Title 30, Chapter 330, Municipal Solid Waste, § 330.3, and Tex. Administrative Code Title 30, Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, § 335.1. The operator shall comply with the following requirements:~~

~~1. Submit a site development plan for review that provides detailed information about the design and development of the facility and that addresses:~~

- ~~i. Zoning and land use within one quarter mile of the site;~~
- ~~ii. Proximity to residences, businesses and other uses;~~
- ~~iii. Availability and characteristics of access roads including current traffic volumes and impact of proposed facility on roads and traffic;~~
- ~~iv. Locations of all existing and proposed buildings, equipment and machinery;~~
- ~~v. Fire prevention and control;~~
- ~~vi. Groundwater, drinking water and surface water protection including wash areas, stream or water course diversions, holding ponds and tanks;~~
- ~~vii. Screening fences, berms, buffers and landscaping;~~
- ~~viii. Provisions for all activities including loading, unloading, handling, processing of materials and maintenance and storage of containers, vehicles and other equipment and machinery to be done within the confines of the facility and behind required screening fences; and~~
- ~~ix. Erection and maintenance of signage at the entrance to the facility that is clearly visible to the public and identifies the owner, operator, business address, telephone number and hours of operation of the facility.~~

~~2. Obtain, maintain and have available on-site all required permits and comply with all federal, state and local regulations that relate to the collection, transportation, handling, processing and disposal of all materials for which the facility is approved.~~

~~3. Submit and maintain on-site an operations plan that addresses:~~

- ~~i. Provisions for preventing unauthorized wastes and materials from being brought to the facility;~~
- ~~ii. Procedures for identifying, handling, removing, transporting and disposing of unauthorized wastes and materials that may have been brought to the facility;~~
- ~~iii. Procedures for controlling water runoff, erosion, dust, odors, vectors and rodents;~~
- ~~iv. Procedures and employee training for fire prevention and control;~~
- ~~v. Litter control and cleanup; and~~

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~~vi. Procedures for reporting and handling fuel and chemical spills.~~

~~4. Provide proof of financial security by submitting documents showing compliance with federal and/or state financial assurance requirements or by submission of performance bond sufficient to ensure that maximum amount of materials stored or accumulated on-site at any one time can be properly recovered and disposed of in the event that the owner/operator is unable to do so.~~

~~b. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and local regulations, codes and ordinances. The operator and/or owner shall provide in writing for access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety.~~

~~c. The Planning and Development Department may not issue a certificate of occupancy until the operator of such facility submits proof that the operation of the facility has been approved by all applicable federal and state regulatory agencies as required by law.~~

~~(5) Manufacture, processing or production of hazardous chemicals (including acid, ammonia, bleaching powder or chlorine manufacture, and explosives manufacture and storage);~~

~~(6) Manufacture of heavy rubber products;~~

~~(7) Metal smelting, reclamation or ore reduction of tin, copper, lead, zinc or iron ores;~~

~~(8) Mining, quarrying, dredging or excavation of dirt, gravel, sand or stone, for the purpose of removing, screening, crushing, washing or storage of ore, clay, stone, gravel or similar materials, subject to the following requirements:~~

~~a. Provision of a site plan of all existing conditions, including topography at five-foot intervals, streams, lakes and other bodies of water, roadways, utility lines, structures and major vegetation, including canopy cover;~~

~~b. Identification of any known protected species of plant, fish or animal life, or the presence of areas of historic, cultural or archeological significance. Such property that is found to be protected or of significant public interest shall not be included in any area approved for mining;~~

~~c. Delineation of all permits and licenses (including NPDES and Texas air control board) required for the operation of such a facility, name of contact person, agency address and telephone number of all permitting agencies and verification of approval of same prior to operation;~~

~~d. Submission of a plan of operation, including scheduling of activities, phasing, traffic generation, employees and use of explosives or other hazardous or caustic materials or chemicals;~~

~~e. Analysis of potential impacts to adjacent properties (especially residential) due to dust, noise, water runoff and diversion, ground water alteration, silting, sedimentation, erosion, traffic and mitigation measures to control such impacts. Submittal of drainage study if deemed necessary by the department of transportation and public works. When deemed appropriate, as a mitigation measure of the site perimeter, City Council may require appropriate buffering, berming, screening and landscaping greater than that required under this zoning ordinance, which shall be maintained~~

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in a proper manner at the expense of the property owner. All mitigation measures must be installed and completed prior to any physical mining of the site;

~~f. Submission of plan for protection of adjacent rights of way and streets if mining operations are planned within 50 feet of such rights of way and streets, and approval of plans required from the transportation and public works director;~~

~~g. Approvals from all utility service providers, transmission, electric and pipeline companies for work around, near or across such utility facility, including approvals for relocation of such utility facility if required;~~

~~h. Site plan identifying all proposed structures, operating facilities, loading and wash areas, roadways, stream or water course diversions, holding ponds/tanks, temporary power lines and other site improvements;~~

~~i. A reclamation plan, including final topography contours, at five foot intervals, relocated stream beds, lakes, ponds and other physical features, type and depth of surface material, seeding and replanting plan for restoration of the original canopy cover of the site, including any required cross section and engineering/construction plans as approved by the city forester or a soil conservation scientist. It is recommended that plant materials native to the site be used;~~

~~j. Submission of a performance bond or cash payment for each phase as required under the standard contract for community facilities agreement of the city to ensure that all restoration costs in accordance with the reclamation plan of the site are met;~~

~~k. Provision of a clearly visible sign at the entrance to the mining operation identifying the name, business address and phone number of the facility owner and operator in compliance with the requirements for on premises signs; and~~

~~l. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and city regulations, codes and ordinances. The operator and/or owner of a mining operation shall provide in writing for the limited access to the property by said members subject to all safety and operational restrictions required by law to protect on site public welfare and safety. Such access approval shall be a prerequisite and part of the conditions of approval of the "PD" district.~~

~~(9) Packing plants, including slaughtering of animals and processing of by products;~~

~~(10) Oil drilling and production;~~

~~(11) Paper and pulp manufacture;~~

~~(12) Petroleum refining or wholesale storage;~~

~~(13) Rock, cement crushers and stone quarries;~~

~~(14) Rolling mills; and~~

~~(15) Line compressors.~~

~~a. Line compressors shall also be permitted in "I" light industrial, "J" medium industrial and "K" heavy industrial districts.~~

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- ~~b. A site plan is required and shall not be waived.~~

SECTION 8.

Chapter 5, “Supplemental Use Standards”, Article 1, “Standards for Selected Use”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Article 1 to add standards for the following uses: halfway houses, horse, dog or automotive racing, landfill, recycling center, household hazardous waste or waste tire facility, mining, and quarrying, dredging or excavation and shall read as follows:

Sec. 5.147 HALFWAY HOUSES.

a. The applicant shall submit the following information to the Planning and Development Department:

1. Area plan showing zoning classifications and land uses of all property within one-quarter mile of the site of the proposed halfway house. The area plan must specifically identify all uses related to children, such as schools, places of worship, parks, playgrounds, day care centers, public and private youth centers, public swimming pools and video arcade facilities. The applicant is expected to make a good faith effort to locate all such uses;

2. Site plan for the property, in compliance with this article. The site plan shall include a floor plan detailing room sizes, sleeping areas, number of beds, training rooms, kitchen and food service areas, bathrooms, recreational areas and all other uses. The site plan requirement cannot be waived by the Zoning Commission;

3. Copy of the contract governing the operation of the facility;

4. Security plan identifying security features of facility; and

5. Copy of policies and rules for operation of the facility.

b. The Zoning Commission shall consider comments from the Police Department and Planning and Development Department concerning the documentation described above prior to recommending approval of any zoning change request for a halfway house.

c. Notification of the requested zoning change shall be sent to the owners of all property within 1,000 feet of the property on which the change in zoning is proposed, in accordance with the procedure set out in state law and local ordinances, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. Notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing as required by state law and shall be at least five inches by eight inches.

d. If the owner or operator of a nonconforming halfway house wishes to expand the facility or make structural alterations which require the approval of the City Council, notification of the request shall be sent to the owners of all property within 1,000 feet of the property on which the

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expansion is proposed and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. In addition, notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing and shall be at least five inches by eight inches.

Sec. 5.148 HORSE, DOG OR AUTOMOTIVE RACING.

a. Additional development controls shall be required, as follows:

1. Holding areas for horses or dogs shall be provided in case of fire;
 2. An approved emergency plan and an approved evacuation plan shall be provided;
 3. Security plans shall be provided and reviewed by the police department;
 4. Spectator parking lots shall be 500 feet from any one- or two-family districts;
 5. Other facilities, including accessory uses and facilities such as the race track and the bleachers, shall be 1,000 feet from any one- or two-family district and from any multifamily district not a part of race track as a mixed use;
 6. The parking required shall be one space for every two spectator seats and one space for every ten square feet of spectator standing area;
 7. When located within or adjacent to any city, state or national historic district, the racetrack building and structures shall be designed to be compatible with said district;
 8. An approved solid waste disposal plan shall be provided and set into operation upon occupancy of the racetrack and its buildings and structures; and
 9. All support activities and other proposed uses, which the site may include, shall be specifically identified.
- b. In addition to site plan requirements and development controls above, the following design considerations shall be incorporated where feasible:
1. Impact studies (such as traffic impact) on the effects of the track operations on adjacent lands. Such studies shall include setbacks; street, arterial and highway access; and buffering of properties surrounding the racetrack site;
 2. Compartmentalization of parking areas for traffic circulation and emergency vehicle circulation;
 3. Emergency vehicle access around site located at the bleachers area with connection through the spectator parking lots to the user area;
 4. Height of buildings and structures not to exceed 12 stories or 120 feet, whichever is the most restrictive; and
 5. User parking and storage area for trailers and similar vehicles with separate access than from spectator parking area.

Sec. 5.149 LANDFILL, WASTE TRANSFER STATION, GOVERNMENT RECYCLING DROP OFF CENTER, RECYCLING CENTER WITH OUTDOOR PROCESSING AND STOCKPILING, HOUSEHOLD HAZARDOUS WASTE OR WASTE TIRE FACILITY.

a. Facilities handling, processing and loading of municipal solid waste and recyclable materials for transportation at transfer stations; storage, processing, bailing or reclamation of

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Highlighted and italicized language is new;
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paper, glass, wood, metals, plastics, rags, junk, concrete, asphalt and other materials at materials recovery facilities and recycling centers; disposal, dumping or reducing of offal or dead animals; composting for yard and wood wastes, municipal solid waste and/or sludge at composting facilities; collection and storage of household hazardous wastes; and processing and storage of scrap tires at waste tire facilities, subject to the requirements set out below. *Provided however, a conditional use permit is required when a recycling center with outdoor processing and stockpiling, household hazardous waste or waste tire facility is within 1,000 feet of a residential district or mixed use/form-based district that includes a residential use, a “CF” Community Facilities district, or a public or private park as measured property line to property line of the protected zoning district or park. If an application to create a planned development district to allow one of the uses described in this section is on file with the City prior to the adoption of this section, the City may approved the planned development district, and any use permitted by that planned development district shall be a legal conforming use.* For purposes of this subsection (d), such facilities are further defined by Tex. Administrative Code Title 30, Chapter 330, Municipal Solid Waste, § 330.3, and Tex. Administrative Code Title 30, Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, § 335.1. The operator shall comply with the following requirements:

1. Submit a site development plan for review that provides detailed information about the design and development of the facility and that addresses:

- a) Zoning and land use within one-quarter mile of the site;
- b) Proximity to residences, businesses and other uses;
- c) Availability and characteristics of access roads including current traffic volumes and impact of proposed facility on roads and traffic;
- d) Locations of all existing and proposed buildings, equipment and machinery;
- e) Fire prevention and control;
- f) Groundwater, drinking water and surface water protection including wash areas, stream or water course diversions, holding ponds and tanks;
- g) Screening fences, berms, buffers and landscaping;
- h) Provisions for all activities including loading, unloading, handling, processing of materials and maintenance and storage of containers, vehicles and other equipment and machinery to be done within the confines of the facility and behind required screening fences; and
- i) Erection and maintenance of signage at the entrance to the facility that is clearly visible to the public and identifies the owner, operator, business address, telephone number and hours of operation of the facility.

2. Obtain, maintain and have available on-site all required permits and comply with all federal, state and local regulations that relate to the collection, transportation, handling, processing and disposal of all materials for which the facility is approved.

3. Submit and maintain on-site an operations plan that addresses:

- a) Provisions for preventing unauthorized wastes and materials from being brought to the facility;
- b) Procedures for identifying, handling, removing, transporting and disposing of unauthorized wastes and materials that may have been brought to the facility;

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- c) Procedures for controlling water runoff, erosion, dust, odors, vectors and rodents;
- d) Procedures and employee training for fire prevention and control;
- e) Litter control and cleanup; and
- f) Procedures for reporting and handling fuel and chemical spills.

b. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and local regulations, codes and ordinances. The operator and/or owner shall provide in writing for access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety.

c. The Planning and Development Department may not issue a certificate of occupancy until the operator of such facility submits proof that the operation of the facility has been approved by all applicable federal and state regulatory agencies as required by law.

Sec. 5.150 MINING, QUARRYING, DREDGING OR EXCAVATION.

Mining, quarrying, dredging or excavation of dirt, gravel, sand or stone, for the purpose of removing, screening, crushing, washing or storage of ore, clay, stone, gravel or similar materials, subject to the following requirements:

a. Provision of a site plan of all existing conditions, including topography at five-foot intervals, streams, lakes and other bodies of water, roadways, utility lines, structures and major vegetation, including canopy cover;

b. Identification of any known protected species of plant, fish or animal life, or the presence of areas of historic, cultural or archeological significance. Such property that is found to be protected or of significant public interest shall not be included in any area approved for mining;

c. Delineation of all permits and licenses (including NPDES and Texas air control board) required for the operation of such a facility, name of contact person, agency address and telephone number of all permitting agencies and verification of approval of same prior to operation;

d. Submission of a plan of operation, including scheduling of activities, phasing, traffic generation, employees and use of explosives or other hazardous or caustic materials or chemicals;

e. Analysis of potential impacts to adjacent properties (especially residential) due to dust, noise, water runoff and diversion, ground water alteration, silting, sedimentation, erosion, traffic and mitigation measures to control such impacts. Submittal of drainage study if deemed necessary by the department of transportation and public works. When deemed appropriate, as a mitigation measure of the site perimeter, City Council may require appropriate buffering, berming, screening and landscaping greater than that required under this zoning ordinance, which shall be maintained in a proper manner at the expense of the property owner. All mitigation measures must be installed and completed prior to any physical mining of the site;

f. Submission of plan for protection of adjacent rights-of-way and streets if mining operations are planned within 50 feet of such rights-of-way and streets, and approval of plans required from the transportation and public works director;

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g. Approvals from all utility service providers, transmission, electric and pipeline companies for work around, near or across such utility facility, including approvals for relocation of such utility facility if required;

h. Site plan identifying all proposed structures, operating facilities, loading and wash areas, roadways, stream or water course diversions, holding ponds/tanks, temporary power lines and other site improvements;

i. A reclamation plan, including final topography contours, at five-foot intervals, relocated stream beds, lakes, ponds and other physical features, type and depth of surface material, seeding and replanting plan for restoration of the original canopy cover of the site, including any required cross-section and engineering/construction plans as approved by the city forester or a soil conservation scientist. It is recommended that plant materials native to the site be used;

j. Submission of a performance bond or cash payment for each phase as required under the standard contract for community facilities agreement of the city to ensure that all restoration costs in accordance with the reclamation plan of the site are met;

k. Provision of a clearly visible sign at the entrance to the mining operation identifying the name, business address and phone number of the facility owner and operator in compliance with the requirements for on-premises signs; and

l. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and city regulations, codes and ordinances. The operator and/or owner of a mining operation shall provide in writing for the limited access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety. Such access approval shall be a prerequisite and part of the conditions of approval of the use.

SECTION 9.

Chapter 5, “Supplemental Use Standards”, Article 1, “Standards for Selected Use”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Section 5.100 “General” to add a reference to “conditional use permit” and shall read as follows:

Sec. 5.100 GENERAL.

(a) *Relationship to use tables.* The supplemental use standards of this article shall apply only to uses that are so designated in the use tables in Chapter 4, Articles 6 and 8. Where the use tables do not indicate that supplemental use standards apply, the conditions set forth in this article shall not apply.

(b) *Additional conditions.* Nothing in this article shall prevent the City from imposing additional conditions during either the special exception, conditional use permit or planned unit development review process.

(c) *Distance measurements.* Unless otherwise noted, all measurements are in a straight line (ignoring intervening structures) from the property line of the specified use to the boundary of the designated district.

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SECTION 10.

Chapter 5, “Supplemental Use Standards”, Article 1, “Standards for Selected Use”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise the sections listed below to add a reference to Article 12 when there is a reference to Articles 6 and 8 in sections 5.101 through 5.150 and change the references included therein from “special exception” to “conditional use permit” and “Board of Adjustment” to “City Council” to the following sections:

- Sec. 5.101 Ambulance Dispatch Station
- Sec. 5.106 Bed and Breakfast Home
- Sec. 5.107 Bed and Breakfast Inn
- Sec. 5.111 Day Care Center
- Sec. 5.133 Storage, Non-accessory outside –also change reference from “Chapter 3, Article 3” to “Chapter 4, Article 4”
- Sec. 5.141 Vehicle Junkyard

SECTION 11.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 12.

Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION 13.

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All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Ordinances Nos. 3011, 13896, 21653 and any other ordinances affecting zoning which have accrued at the time of the effective date of this ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 14.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause, and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 15.

All other provisions of the Zoning Ordinance of the City of Fort Worth not herein amended shall remain in full force and effect.

SECTION 16.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Melinda Ramos
Assistant City Attorney

Mary J. Kayser,
City Secretary

ADOPTED: _____

EFFECTIVE: _____

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Household Living	One-family detached dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	* Not > 10,000 sq. ft. 6.507
	One-family zero lot line detached							P	P	P*	P*	P	P	P	P				>>	6.101(c)
	One-family zero lot line attached (twin home)								P	P	P	P	P	P	P				>>	
	Two-family detached								P	P	P	P	P	P	P				>>	
	Duplex/two-family attached dwelling								P	P	P	P	P	P	P				>>	
	One-family attached (townhouse, rowhouse)										P*	P	P	P	P				>>	6.101(c)
	Cluster housing										P	P	P	P	P				>>	
	HUD-code manufactured housing															P				
	Industrialized housing	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.116.B
	Manufactured home park															P	PD*		>>	4.202(b)
	Manufactured home subdivision															P				
	Mobile home community dwelling															P				
Group Living	Boarding or lodging house												P*	P*	P*				>>	5.107A
	Community home	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		PD*		>>	5.110
	Fraternity or sorority house													P	P		PD		>>	
	Group home I												P*	P*	P*		PD*		>>	5.115

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
	Group home II													P*	P*		<u>PD*</u>			5.115
	Halfway house																<u>CUP</u>		>>	4.305(b) <u>5.147</u>
	Shelter																<u>CUP</u>		>>	
Education	Day care center (child or adult)	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	CUP		>>	5.111
	Kindergarten	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>	<u>SE*</u>				>>	5.118
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>			>>	
Government	Government office facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>			>>	
	Museum, library or fine arts center, government operated or controlled	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
Recreation	Center, community recreation or welfare, private or non-profit	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		CUP		>>	
	Country club (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Golf course	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Golf driving range																		>>	
	Neighborhood recreation center	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Park or playground (public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
	Park (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A 5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Utilities	Electric power substation	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>PD</u>		>>	
	Stealth telecommunications towers*	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE				>>	5.137
	Telecommunications antenna (on structure)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	<u>PD*</u>		>>	5.136
	Utility transmission tower or distribution	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		<u>PD*</u>		>>	5.140
	Water supply, treatment or storage facility	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>PD</u>		>>	
Other	Airport, aviation field or landing area	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>PD</u>		>>	
	Ambulance dispatch station	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP*</u>		>>	5.101
	Bed and breakfast home								<u>SE</u> CU P*			<u>SE</u> CU P*	<u>SE</u> CU P*	<u>SE</u> CU P*	<u>SE</u> CU P*				>>	5.106
	Bed and breakfast inn													<u>SE</u> CU P*	<u>SE</u> CU P*				>>	5.107
	Greenhouse or plant nursery	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP*</u>		>>	5.114, 5.133
	Hospice													P	P	P			>>	
	Gas drilling and production	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	Ch. 15, city codes; 5.140
	Parking, auxiliary	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP*</u>		>>	6.202(f)
	Short term home rental																			
	Accessory use or building	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.301
	Home occupation	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.116A
	Large animals	P*	P*	P*	P*	P*	P*	P*	P*										>>	5.307

EXHIBIT A

§ 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Accessory	Private carport/private porte cochere (reduced rear and side yard setbacks)				P*	P*													>>	5.301(b)(1)
	Private carport/private porte cochere (front yard)	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*								>>	5.301(b)(1)
	Recreation area (private), indoor or outdoor											P	P	P	P				>>	
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	
	Terrace garage (in required yard setbacks)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				>>	
Temporary	Amusement, outdoor (temporary)	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>CUP*</u>		>>	5.400
	Batch plant, concrete or asphalt (temporary)	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>CUP*</u>		>>	5.401
	Garage or other occasional sale	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.402
	Mobile vendor, fresh market	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				5.406
	Model home	P	P	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				5.403
	Trailer, portable; sales, construction or storage	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.405
	Vendor, door to door	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	9.101
	Vendor, transient	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	9.101
Agricultural	Community Garden	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.146

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Household Living	One-family detached dwelling										P*					<<	4.200 (AG) lots not > 10,000 sq. ft.
	One-family attached (townhouse, rowhouse)						P									<<	
	Multifamily dwelling apartment						P									<<	4.305(b), 6.506
	One dwelling unit when part of a business (also considered residence for security purposes)			P	P	P	P	P	P	P							
Group Living	Community home											P*				<<	5.115
	Group home I											P*				<<	5.115
	Group home II											P*				<<	5.115
	Halfway house														CUP*	<<	4.305– 5.147
	Shelter														CUP	<<	
PUBLIC AND CIVIC USES																	
Education	College or university			P	P	P	P	P	P	P	P	P					
	Day care center (child or adult)	P	P	P	P	P	P	P	P	P		P				<<	
	Kindergarten	P	P	P	P	P	P	P	P	P		P				<<	
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P				<<	
	Animal shelter									P							
	Correctional facility							P	P	P							
	Government maintenance facility							P	P	P	P	P					

EXHIBIT B
NONRESIDENTIAL DISTRICT USE TABLE
§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Government	Government office facility	P	P	P	P	P	P	P	P	P	P	P				<<	
	Governmental vehicle storage/junkyard								P	P							
	Museum, library or fine art center	P	P	P	P	P	P	P	P	P	P	P				<<	
	Probation or parole office			P*	P*	P*	P*	P*	P*	P*							5.127
Health Care Facilities	Ambulance dispatch station	P	P	P	P	P	P	P	P	P		P				<<	
	Assisted living facility		P	P	P	P	P	P	P	P		P					
	Blood bank			P	P	P	P	P	P	P		P					
	Care facility	P	P	P	P	P	P	P	P	P		P					
	Health services facility, including doctor's office or medical clinic	P	P	P	P	P	P	P	P	P		P					
	Hospice	P	P	P	P	P	P	P	P	P		P				<<	
	Hospital	P	P	P	P	P	P	P	P	P		P					
	Massage therapy and spa		P	P	P	P	P	P	P	P		P				<<	
	Nursing home (with full medical services)		P	P	P	P	P	P	P	P		P				<<	
Recreation	Center, community recreation or welfare	P	P	P	P	P	P	P	P	P	P	P	P	P		<<	
	Center, community recreation or welfare, private or non-profit	P	P	P	P	P	P	P	P	P	P	P	P	P		<<	
	Country club (private)	P	P	P	P	P	P	P	P	P	P	P	SE CUP	SE CUP		<<	
	Country club (public)	P										P	SE CUP	SE CUP			
	Golf course		P	P	P	P	P	P	P	P		P	P	P		<<	
	Golf driving range			P	P	P	P	P	P	P		P	P	P			

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP		
	Park or playground (public or private)		P	P	P	P	P	P	P	P	SE CUP	P	P	P*		<<	4.204(d)
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P				<<	
	Place of worship auxiliary use	SE	SE	SE	SE	SE	P	P	P	P	SE	P					
Utilities	Electric power substation	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	CUP	CUP	CUP	PD	<<	
	Gas lift compressor stations	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					Ch. 15, Gas city code, 5.140
	Gas line compressor stations							P*	P*	P*					PD		Ch. 15, Gas city code, 5.140
	Power plant or central station light								P	P	P	SE					
	Stealth telecommunications towers	SE*	P*	P*	P*	P*	P*	P*	P*	P*	SE*	SE*	SE*	SE*		<<	5.137
	Telecommunications antenna (on structure)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	SE*	SE*		<<	5.136
Utilities	Telecommunications tower	SE*	SE*	SE*	SE*	P*		P*	P*	P*	SE*	SE*	SE*	SE*		<<	5.137
	Utility transmission or distribution line	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		<<	5.140
	Wastewater (sewage) treatment facility							P	P	P		SE CUP					
	Water supply, treatment or storage facility	SE CUP	SE CUP	SE CUP	SE CUP	SE CUP	SE CUP	P	P	P	P	P			PD	<<	
	Amusement, indoor		P	P	P	P	P	P	P	P							
	Amusement, outdoor			P	P	P	P	P	P	P				SE CUP			
	Baseball/softball facility; <u>other ball fields</u> (commercial)							P	P	P							

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Entertainment and Eating	Bowling alley			P	P	P	P	P	P	P							
	Bar, tavern, cocktail lounge, club, private or teen, dance hall				P	P	P	P	P	P							
	Circus								P	P				SE CUP			
	Club, commercial or business			P	P	P	P	P	P	P							
	Drive-in restaurant or business	SE CUP	P*	P*	P*	P*	P*	P*	P*	P*							5.112
	Event center or rental hall		P	P	P	P	P	P	P	P							
	Gambling facility (including bingo)														CUP*		4.305
	Game rooms							PD	PD	PD							4.305(c)
	Health or recreation club	P	P	P	P	P	P	P	P	P							
	Indoor recreation			P	P	P	P	P	P	P							
	Lodge or civic club		P	P	P	P	P	P	P	P		CUP					
	Massage parlor				P	P	P	P	P	P							
	Museum/cultural facility	P	P	P	P	P	P	P	P	P		P					
	Racing, horse, dog or automotive														CUP*		4.305–5.148
	Restaurant, café, cafeteria	CUP	P	P	P	P	P	P	P	P				CUP			Chap 9, Rest
	Sexually oriented business							P*	P*	P*							5.200– Art. 2
	Shooting or weapons firing range														CUP*		4.305
	Stable, commercial, riding, boarding or rodeo arena							P*	P*	P*				SE CUP*			5.132
	Swimming pool, commercial		P*	P*	P*	P*	P*	P*	P*	P*				SE CUP*			5.135
	Theater, drive-in		CUP	CUP	CUP	CUP	CUP	P	P	P				SE			

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Theater, movie theater or auditorium		P*	P	P	P	<u>P</u>	P	P	P							5.138
	<u>Vendor, food, mobile vendor food court</u>	<u>CUP*</u>	<u>CUP*</u>	<u>CUP*</u>	<u>CUP*</u>	P*	<u>CUP*</u>	P*	P*	P*	<u>CUP*</u>	<u>CUP*</u>	<u>CUP*</u>	<u>CUP*</u>			5.406
Lodging	Bed and breakfast inn	P	P	P	P	P	P	P	P	P						<<	
	Hotel, motel or inn			P*	P*	P*	P	P*	P*	P*							5.116
	Recreational vehicle park			P*	P*	P*	P*	P*	P*	P*				SE <u>CUP*</u>			5.129
	Short term home rental	P	P	P	P	P	P	P	P	P							
Office	Bank, financial institution	P or <u>CUP*</u>	P	P	P	P	P	P	P	P							CUP if drive-thru; <u>5.112</u>
	Offices	P	P	P	P	P	P	P	P	P				SE <u>CUP</u>			
	Antique shop	P	P	P	P	P	P	P	P	P							
	Appliance, sales, supply or repair	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Bakery		P	P	P	P	P	P	P	P							
	Barber or beauty shop	P	P	P	P	P	P	P	P	P							
	Boat rental or sales			P	P	P	P	P	P	P			P	P			
	Book, stationary stores or newstand	P	P	P	P	P	P	P	P	P							
	Burglar alarm sales and service	P	P	P	P	P	P	P	P	P							
	Business college or commercial school		P	P	P	P	P	P	P	P							
	Caterer or wedding service	P	P	P	P	P	P	P	P	P							
	Clothing/wearing apparel sales, new	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Clothing/wearing apparel sales, used	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Retail Sales and Service	Convenience store		P	P	P	P	P	P	P	P							
	Copy store or commercial print without off-set printing	P	P	P	P	P	P	P	P	P							
	Dance studio		P	P	P	P	P	P	P	P							
	Dressmaking, custom; millinery shop	P	P	P	P	P	P	P	P	P							
	Duplicating services	P	P	P*	P*	P*	P*	P	P	P							5.126
	Farmers’ market		P*	P	P	P	P										5.145
	Feed store, no processing/milling		P	P	P	P	P	P	P	P							
	Firewood sales		P*	P*	P*	P*	P*	P	P	P							5.113
	Furniture sales, new and used (office and residential) in a building		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Furniture upholstery, refinishing or resale			P	P	P	P	P	P	P							
	General merchandise store		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Greenhouse or plant nursery	<u>CUP*</u>	P*	P*	P*	P*	P*	P*	P*	P	SE- <u>CUP</u>		P	P		<<	5.114, 5.134
	Grocery store, meat market		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Gunsmithing, repairs or sales			P	P	P	P	P	P	P							
	Home improvement store	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Interior decorating	P	P	P	P	P	P	P	P	P							
	Kennel							P*	P*	P*							5.117
	Large retail store		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Laundry or dry cleaning collection office	P	P	P	P	P	P	P	P	P							

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Retail Sales and Service	Laundry, dry cleaning or washeteria		P	P	P	P	P	P	P	P							
	Leather goods shop	P	P	P	P	P	P	P	P	P							
	Liquor or package store		P		P	P	P	P	P	P							
	Locksmith	P	P	P	P	P	P	P	P	P							
	Medical supplies/equipment sales or rental	P	P	P	P	P	P	P	P	P		P					
	Mini-warehouses								P	P					PD		5.143
	Mortuary or funeral home		P	P	P	P	P	P	P	P							
	Newspaper distribution center			P*	P*	P*	P	P	P	P							5.124
	Optician	P	P	P	P	P	P	P	P	P							
	Pawn shop			P*	P*	P*	P*	P*	P*	P*							5.125, 5.134
	Pharmacy (drug store)	P	P	P	P	P	P	P	P	P							
	Photograph, portrait/camera shop or photo finishing	P	P	P	P	P	P	P	P	P							
	Produce market													SE			
	Recording studio		P	P	P	P	P	P	P	P							5.128
	Retail sales, general		P*	P*	P*	P*	P*	P*	P*	P*							5.134
	Saddle or harness, repair or sales			P	P	P	P	P	P	P							
	Shoe shine shop	P	P	P	P	P	P	P	P	P							
	Studio, art or photography	P	P	P	P	P	P	P	P	P							
	Tailor, clothing or apparel shop	P	P	P	P	P	P	P	P	P							
	Tattoo parlor			P	P	P	P	P	P	P							
	Taxidermist shop		P	P	P	P	P	P	P	P							
	Veterinary clinic w/indoor kennels		P*	P*	P*	P*	P*	P*	P*	P	P						

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Veterinary clinic w/outdoor kennels							P*	P*	P*							5.142
Vehicle Sales and Service	Auto parts supply, retail			P	P	P	P	P	P	P							
	Automotive repair; paint and body shop			P*	P*	P*	P*	P*	P*	P*							5.104
	Car wash, full or self service			SE CUP	SE CUP	SE CUP	SE CUP	P*	P*	P*							5.108
	Gasoline sales		P	P	P	P	P	P	P	P							
	Mobile home or manufactured housing sales							P	P	P							
	Parking area or garage, storage commercial or auxiliary	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		SE CUP*		<<	6.202
	Recreational vehicle (RV) sales/service							P	P	P							
	Service station			P*	P*	P*	P*	P	P	P							
	Towing yard with office							P	P	P							
	Truck stop w/fuel and accessory services							P	P	P							
	Vehicle junkyard								SE CUP*	SE CUP*							5.141
	Vehicle sales or rental; including automobiles, motorcycles, boats or trailers			P	P	P	P	P	P	P							
	Vehicle steam cleaning							P	P	P							
LIGHT INDUSTRIAL																	
	Assaying							P*	P*	P							5.103

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Light Industrial Services	Assembly of pre-manufactured parts, except for vehicles, trailers, airplanes or mobile homes							P	P	P							
	Blacksmithing or wagon shop							P	P	P							
	Bottling works, milk or soft drinks							P	P	P							
	Carpet and rug cleaning							P	P	P							
	Chicken battery or brooder								P	P							
	Coal, coke or wood yard							P	P	P							
	Crematorium							P	P	P							
	Data center							P	P	P							
	Electroplating							P	P	P							
	Fabricating or manufactured housing, temporary or office building							P	P	P							
	Food processing (no slaughtering)							P	P	P							
	Furniture or cabinet repair or construction							P	P	P							
	Furniture sales, with outside storage/display (new/used)							P	P	P							
	Galvanizing, small utensils							P	P	P							
	Machine shops							P*	P	P							5.120

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4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP		
Light Industrial Services	Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing preparations, boats under 28 ft. in length, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats or dresses for wholesale trade							P*	P	P							5.120
	Manufacture of aluminum, brass or other metals or from bone, paper, rubber, leather and plastics							P*	P	P							5.120
	Manufactured home/RV repair							P	P	P							
	Monument/marble works, finishing and carving only							P	P	P							
	Monument works, stone							P	P	P							
	Outdoor sales and storage <u>Including yards, contractors, lumber or storage, automobiles, storage yards, building materials</u>							SE -P*	P*	P*				SE -CUP*			5.133 <u>CUP if no primary use</u>
	Paint mixing or spraying							P	P	P							
	Paper box manufacture							P	P	P							
	Pattern shop							P	P	P							
	Printing, lithographing, book-binding, newspapers or publishing						P	P	P	P							
	Rubber stamping, shearing/punching							P	P	P							

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Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Rubber stamp manufacture						P	P	P	P							
	Sheet metal shop							P*	P*	P							5.131
	Warehouse or bulk storage							P*	P*	P*							5.143
	Welding shop, custom work (not structural)							P	P	P							
	Yards, contractors, lumber or storage, automobiles, storage yards, building materials								SE*	SE*	SE*						
MEDIUM AND HEAVY INDUSTRIAL																	
	Animal by-products processing								P	P							
	Batch plant, concrete or asphalt (permanent)									P							
	Brewery, distillery or winery								P	P							
	Brick, clay, glass, shale, tile or terra cotta products manufacture								P	P							
	Cement products plant								P	P							
	Cement, lime, gypsum or plaster of Paris manufacture																
	Cotton gin, cotton oil mill, bailing or compress									P							
	Creosite, treatment/manufacture																
	Egg cracking or processing									P							

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Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Heavy Industrial Manufacturing	Furnace, blast, forge plant, boiler works manufacture									P							
	Galvanizing, sheet or structural shapes									P							
	Gas (natural or artificial) manufacture processing/storage									P							
	Glue manufacture									P							
	Grain elevator								P	P							
	Magnesium casting, machining or fabricating									P							
	Manufacture of acetylene or oxygen gas. alcohol, computers and related electronic products, airplanes, automobiles, trucks and tractors (including assembly plants), ball or roller bearings, steel tanks, candles and celluloid, cash registers, cutlery, disinfectants, dextrin, dyestuff, electrical machinery, farm tools, type writers and vinegar									P							
	Manufacture of basket material, bicycles, boots, boxes other than paper, caskets, shoes									P	P						
	Manufacture of dyes, cores, die-casting molds									P	P						

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Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Manufacture, processing/production of hazardous chemicals														<u>CUP</u>		
	Metal casting								P*	P*							5.121
	Metal foundry plant or fabrication plant									P*							5.122
	Metal smelting, reclamation or ore reduction														<u>CUP</u>		
	Metal stamping, dying, shearing or punching								P*	P							5.123
	Mill, feed or flour									P							
	Mining quarry, dredging or excavation of rock, dirt, gravel, sand, stone <u>including rock and cement crushers</u>														<u>CUP*</u>		4.305 — <u>5.150</u>
	Packing plant														<u>CUP</u>		
	Paper or pulp manufacture														<u>CUP</u>		
	Petroleum, refining or wholesale storage														<u>CUP</u>		
	Planing mill or woodworking shop									P	P						
	Poultry killing or dressing									P	P						
	Rock cement crushers and stone quarry														<u>P</u>		
	Rolling mill														<u>CUP</u>		
	Soap manufacture										P						
	Soda or compound manufacture										P						
	Stoneyard, building stone, cutting, sawing or storage										P						

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Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Tar distillation/manufacturing									P							
	Tobacco (chewing) manufacture or treatment									P							
	Welding shop, <u>production</u>									P							
Transportation	Airport, aviation field, helistop or landing area	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	PD		
	Passenger station			P	P	P	P	P	P	P							
	Railroad freight or classification yard								P	P							
	Railroad roundhouse or RR car repair shop							P	P	P							
	Railroad tracks; team, spur, loading or storage							P	P	P							
	Terminal, truck, freight, rail or water							P*	P	P							5.139
Waste Related	Landfill, <u>waste transfer station</u> , <u>government recycling drop off center</u> , <u>recycling center</u> , household hazardous waste or waste tire facility														PD*		4.305 5.149
	Pet cemetery														CUP		
	Recycling collection facility/ <u>box</u>		SE*	SE*	SE*	SE*	SE*	P*	P*	P*							5.130
	<u>Recycling center with outdoor processing and stockpiling</u> , <u>household hazardous waste or waste tire facility</u>														PD/ CUP*		5.149

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		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP	
	Recycling center, indoor only with no outdoor sorting or storage activity							P	P	P						
	Salvage yard (other than automotive)														CUP	
Wholesale Trade	Wholesale: bakery, produce market or wholesale house							P	P	P						
	Wholesale office or sample room						P	P	P	P						
OTHER USES																
Agriculture	Agricultural uses										P*		P*	P*		5.307
	Stockyards or feeding pens (commercial)									P*						5.307
	Fresh water fracture ponds and production							P*	P*	P*	P*					Ch. 15 Gas city code
	Gas drilling and production	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			<<	Ch. 15, Gas city code
	Oil drilling and production														PD*	Ch. 15, Gas city code
	Urban agriculture		P*	P*	P*	P*	P*	P*	P*	P*						5.146
	Community garden		P*	P*	P*	P*	P*	P*	P*	P*						5.146
Accessory Uses	Accessory use or building										P*					5.302
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P	P	P	P	P*			CUP*	<<
	Stable, stockyards or feeding pens (noncommercial)										P*					5.307
	Storage or display outside		P*	P*	P*	P*	P*	P	P	P					PD*	5.306
	Amusement, outdoor (temporary)	SE— CUP*	SE— CUP*	SE— CUP*	SE— CUP*	SE— CUP*	SE— CUP*	P	P	P	P	SE*— CUP*	SE*— CUP*	SE*— CUP*	CUP*	<<
	Batch plant, concrete or asphalt (temporary)	SE— CUP*	SE— CUP*	SE— CUP*	SE— CUP*	SE— CUP*	SE— CUP*	P	P	P	SE*— CUP*	SE*— CUP*			CUP*	<<

EXHIBIT B

NONRESIDENTIAL DISTRICT USE TABLE

§ 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Temporary Uses	Mobile vendor, fresh market		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			5.406
	Residence for security purposes, temporary		SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*							5.404
	Trailer, portable; sales, construction or storage	P	P	P	P	P	P	P	P	P	P	P				<<	
	Vendor, door to door	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				<<	5.406
	Vendor, food, mobile vendor food court	SE*	SE*	SE*	SE*	P*	SE*	P*	P*	P*	SE*	SE*	SE*	SE*	SE*		5.406
	Vendor, food, non-potentially hazardous food	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, food, potentially hazardous food			P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, merchandise							P*	P*	P*	P*	P*					5.406
	Vendor, transient							P*	P*	P*	P*	P*				<<	9.101
	Vendor, transient, non-potentially hazardous food	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, transient, potentially hazardous food			P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406

[illegible]

FORM-BASED CODE DISTRICT USE TABLE

§ 4.1203 DISTRICT USE TABLE.

4.1203 USES	4.1200 FORM BASED CODE DISTRICTS USE TABLE																												
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU- RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards

ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.

NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University

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[illegible]

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PUBLIC AND CIVIC USES																														
Education	College or university	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P							P			
	Day care center (child or adult)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		SE CUP*	SE CUP*	P	P	P	P		5.111
	Kindergarten	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
	School, elementary or secondary (public)																					P	P	P		P	P			
	School, elementary or secondary (private)																								P		P	P		
	Business college or commercial school	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P				P	P	P			
Government	Animal shelter																													
	Correctional facility																													
	Government maintenance facility								P	P	P	P	P	P	P	P														
	Government office facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P			P	P	P	P	P		
	Governmental vehicle storage/junkyard																													
	Museum, library or fine art center	P	P	P	P	P	P	P	P	P	P	P	P	P*	P				P	P					P	P	P	P		
	Probation or parole office		P*	P*			P*	P*																	P*	P*				5.127

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	Park or playground (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Place of worship auxiliary use	SE- CUP	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P			P	P	P	P	P	P			
Utilities	Electric power substation	SE- CUP	P	SE- CUP	SE- CUP	SE- CUP	P	P															SE- CUP	P	P	P	P			
	Gas lift compressor stations	P*	P*	P*	P*	P*	P*	P*																					Ch. 15, Gas city code, 5.140	
	Gas line compressor stations	SE- CUP*	SE- CUP*	SE- CUP*	SE- CUP*	SE- CUP*	SE- CUP*	SE- CUP*																			CUP*	Ch. 15, Gas city code, 5.140		
	Power plant or central station light																									SE- CUP*				
	Stealth telecommunica- tions towers	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P								SE*	SE*	SE*	SE*	SE*		5.137	
	Telecommunica- tions antenna (on structure)	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P*		P*	P*				P*	P*	P*	P*	P*		5.136
	Telecommunica- tions tower	SE*	SE*	SE*	SE*	SE*	SE*	P*									P*		P*	P*				SE*	SE*	SE*	SE*	SE*		See Table 5.2 TLDC
	Utility transmission or distribution line	SE* P*	SE* P*	P*	P*	P*	P*	P*															SE* P*	SE* P*	SE* P*	SE* P*	SE* P*	SE* P*		5.140
	Wastewater (sewage) treatment facility																													
	Water supply, treatment or storage facility	SE- CUP	CUP	SE- CUP	SE- CUP	SE- CUP	SE- CUP																	SE- CUP	SE- CUP	SE- CUP	SE- CUP	SE- CUP		

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Entertainment and Eating	Amusement, indoor	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P					P	P	P			
	Amusement, outdoor		P				<u>P</u>	SE <u>CUP</u>				SE <u>CUP</u>	SE <u>CUP</u>	SE <u>CUP</u>		P	P	P	P										
	Baseball/softball facility (commercial)		P	P	P	P	P																						
	Bowling alley		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P										
	Bar, tavern, cocktail lounge; club, private or teen, dance hall		P		P	P	P	P	P							P	P	P	P						P	P	P		
	Circus																												
	Club, commercial or business		P	P	P	P	P	P	P								P	P	P	P	P				P	P	P		
	Drive-in restaurant or business	P*	P*	P*	P*	P*	P*		P	P	P	P	P	P	P	P	P*			P*	P*				P*				5.112 See Table 5.2 TLDC
	Event center or rental hall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P		
	Bingo parlor								P	P	P	P	P	P	P		P	P	P	P									
	Gambling facility (including bingo)																												
	Health or recreation club	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P				P	P	P		
	Indoor recreation		P	P	P	P	P		P	P	P	P	P	P	P		P	P	P	P	P				P	P	P		
	Lodge or civic club	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P		
	Massage parlor		P														P	P	P	P	P			P	P	P	P		
	Mobile vendor food court	SE * CUP*	<u>P</u> *		<u>P</u> *		<u>P</u> /**		<u>CUP</u> *	<u>CUP</u> *	SE * CUP*	SE * CUP*	<u>P</u> *	<u>P</u> *	<u>P</u> *	SE * CUP*	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u> *	<u>P</u> *			<u>5.406</u>
	Museum/cultural facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P										P	P	P		

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	Racing; horse, dog or automotive																												
	Restaurant, café, cafeteria	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Sexually oriented business																												
	Shooting or weapons firing range																												
	Stable, commercial, riding, boarding or rodeo arena																												
	Swimming pool, commercial	P*	P*	P*	P*	P*	P*		P	P	P	P	P	P		P		P	P										5.135
	Theater, drive-in	SE CUP			SE CUP	SE CUP	SE CUP	SE CUP											P										
	Theater, movie theater or auditorium	P*	P	P*	P*	P*	P*	P	P	P	P	P	P	P		P	P	P	P					P*	P*	P*			5.138
Lodging	Bed and breakfast home																					SE CUP*	SE CUP*	P*	P*	P*			5.106
	Bed and breakfast inn	P	P	P	P	P	P	P												P	P			P	P	P			
	Hotel, motel or inn		P				P	P	P	P	P	P	P	P	P	P	P	P	P					P	P	P			5.116
	Recreational vehicle park																												
	Short term home rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P		
Office	Bank, financial institution	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			
	Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Antique shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			

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	Appliance, sales, supply or repair	P*	P*	P*	P*	P*	P*	P								P	P	P	P	P			P	P	P	P			5.134
	Bakery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Barber or beauty shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Boat rental or sales		P				P	P																					
	Book, stationary stores or newsstand	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Burglar alarm sales and service		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Caterer or wedding service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Clothing/weari ng apparel sales, new	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Clothing/weari ng apparel sales, used	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Convenience store	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Copy store or commercial print without off-set printing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Dance studio	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Dressmaking, custom; millinery shop	P	P	P	P	P	P	P								P	P	P	P	P			P	P	P	P			
	Duplicating services	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P			P	P	P	P			5.126
	Farmers’ market	P*							P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			less than 1 acre 5.145

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Retail Sales and Service	Feed store, no processing/mill ing			P	P	P	P	P															P	P	P	P				
	Firewood sales	P*	P*	P*	P*	P*	P*	P*																P*	P*	P*			5.113	
	Furniture sales, new and used (office and residential) in a building	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134	
	Furniture upholstery, refinishing or resale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P				
	General merchandise store	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134	
	Greenhouse or plant nursery	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P		P	P	P				P	P	P			5.114, 5.134
	Grocery store, meat market	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P			P				P	P	P	P			5.134
	Gunsmithing, repairs or sales		P				P	P																	P	P	P			
	Home improvement store	P*	P*	P*	P*	P*	P*	P									P			P				P	P	P	P			5.134
	Interior decorating	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Kennel																													
	Large retail store	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P		P	P					P	P	P			5.134
	Laundry or dry cleaning collection office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P			
	Laundry, dry cleaning or washeteria	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P	P	P			

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	Leather goods shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Liquor or package store	P	P	P	P	P	P	P	P	P	P	P	P	P										P	P	P			
	Locksmith	P	P	P	P	P	P	P								P	P	P	P	P			P	P	P	P			
	Medical supplies/equipment sales or rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Mini-warehouses						P																P	P	P	P			
	Mortuary or funeral home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
	Newspaper distribution center		P				P	P								P	P	P	P	P									
	Optician	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Pawn shop		P*				P*	P*								P	P	P	P	P				P*	P*				5.125, 5.134
	Pharmacy (drug store)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Photograph, portrait/camera shop or photo finishing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Recording studio	P	P	P*	P*	P*	P*	P	P	P	P	P	P	P		P	P	P	P	P			P*	P*	P*	P*			
	Retail sales, general	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Saddle or harness, repair or sales	P	P	P	P	P	P	P								P	P	P	P	P			P	P	P	P			
	Shoe shine shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Studio, art or photography	P	P	P	P	P	P	P	P	P	P	P	P	P	P								P	P	P	P			
	Tailor, clothing or apparel shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Tattoo parlor		P				P	P																P	P	P			
	Taxidermist shop	P	P	P	P	P	P	P																P	P	P			

EXHIBIT C																													
FORM-BASED CODE DISTRICT USE TABLE																													
§ 4.1203 DISTRICT USE TABLE.																													
4.1203 USES		4.1200 FORM BASED CODE DISTRICTS USE TABLE																											
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU- RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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	Food processing (no slaughtering)		P				P	P																	P	P			
	Furniture or cabinet repair or construction		P		P	P	P	P												P*									See Table 5.2 TLDC
	Furniture sales, with outside storage/display (new/used)																			P*									See Table 5.2 TLDC
	Galvanizing, small utensils																												
	Machine shops						P*						P	P															5.120
	Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing		P		P	P	P*	P*												P*									5.120 See Table 5.2 TLDC
	Manufacture of aluminum, brass or other metals or from bone, paper, rubber, leather		P		P*	P*	P*	P*																					5.120
	Manufactured home/RV repair																												
	Mini-warehouse											P	P																Uses restricted within 100 feet of Camp Bowie Boulevard in the CB/GC- MU district

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	Paper or pulp manufacture																												
	Petroleum, refining or wholesale storage																												
	Planing mill or woodworking shop																												
	Poultry killing or dressing																												
	Rock cement crushers and stone quarry																												
	Rolling mill																												
	Soap manufacture																												
	Soda or compound manufacture																												
	Stoneyard, building stone, cutting, sawing or storage																												
	Tar distillation/manufacturing																												
	Tobacco (chewing) manufacture or treatment																												
	Welding shop																												
	Airport, aviation field, helistop or landing area	SE CUP	SE CUP	SE CUP	SE CUP	SE CUP	SE CUP					P	P	P															
	Passenger station	P	P		P	P	P					P	P	P			P							P					

[illegible]

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Agricultures	Community garden	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P		5.146	
	Stockyards or feeding pens (commercial)																													
	Fresh water fracture ponds and production																													
	Gas drilling and production	P*	P*	P*	P*	P*	P*	P*									P	P	P	P	P	P	P*	P*	P*	P*	P*	P*		Ch. 15, Gas city code
	Oil drilling and production																													
	Urban agriculture	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	
Accessory Uses	Accessory use or building			P	P	P	P															P	P	P	P	P	P			
	Home occupation																						P*	P*	P*	P*	P*			5.116A
	Incidental outdoor display								P	P	P	P	P	P	P	P	P**	P**	P**	P**	P**			P*	P*	P*	P*			
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P									P	P	P	P	P	P	P	P	P	P	P			
	Stable, stockyards or feeding pens (noncommercial)																													
	Storage or display outside	P*	P	P*	P*	P*	P*																							5.306
	Solar energy equipment								P	P	P	P	P	P	P	P	P***	P***	P***	P***	P***	P***	P	P	P	P	P	P		
	Wind energy equipment								P	P	P	P	P	P	P	P	P***	P***	P***	P***	P***	P***	P	P	P	P	P	P		
	Rain water harvesting equipment																	P***	P***	P***	P***	P***	P***	P	P	P	P	P	P	

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	Vendor, food, potentially hazardous food		P*	P*	P*	P*	P*									P	P	P	P										5.406
	Vendor, merchandise		P*	P*	P*	P*	P*																	P*	P*				5.406
	Vendor, transient			P*	P*	P*	P*																	P*	P*				9.101
	Vendor, transient, non-potentially hazardous food	P*	P*	P*	P*	P*	P*																						5.406
	Vendor, transient, potentially hazardous food	P*	P*	P*	P*	P*	P*																						5.406
	Sales from kiosks									P	P	P	P	P	P	P													(for food vendors other city ordinances apply, not within public ROW)

Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Scott O'Toole	5409 Lubbock		Support		Representing applicant
South Hills South NA			Support		Sent letter
Barbara Fife	2704 Larkin Ave			Opposition	Sent letter
Nellie Cicotte				Opposition	Sent letter
Nelda Wilkerson	2832 Larkin Ave			Opposition	Sent letter
Luisa Masters	6148 Springleaf Cir			Opposition	Sent letter
Becky Bownds	5508 Dian Dr		Support		Sent letter

2. ZC-18-169 Jerry & William Wilson (AX-18-006) (CD 7) – 2250 Texan Dr (W.N. Sample Survey Abstract No. 1207, 41.22 ac.) From: Unzoned To: “I” Light Industrial/Fort Worth Alliance Airport Overlay

Andy Gabbert, representing the applicant, stated they are zoning the property in anticipation of annexation. He stated adjacent properties will also be rezoned.

Motion: Following brief discussion, Mr. Aughinbaugh recommended Approval of the request, seconded by Ms. Conlin. The motion passed unanimously 9-0.

Document received for written correspondence					ZC-18-169
Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Andy Gabbert	5015 NW Canal St, Riverside, MO		Support		Representing applicant

3. ZC-18-177 City of Fort Worth Planning & Development: Text Amendment: Create Conditional Use Permit (CD ALL) Request: An Ordinance amending the Comprehensive Zoning Ordinance of the City of Fort Worth, being Ordinance No. 21653, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (2015), by amending:

- Chapter 4, “District Regulations” To Amend
 - Article 1, “General” To Add Conditional Use Permit to the list of districts established,
 - Article 3, “Planned Development “PD” District” to revise language in conformance with the creation of Conditional Use Permits;
 - Article 4 “Overlay Districts” To Add Section 4.407 “Conditional Use Permit” to provide for regulations and processes applicable to Conditional Use Permits;
 - Articles 6, 8, And 12, “Residential Use Table,” “Nonresidential District Use Table” And “Form-Based Districts” respectively to remove special exception designations and replace with Conditional Use Permit Designations; And
- Chapter 5, “Supplemental Use Standards” to add certain uses and standards in conformance with the creation of the Conditional Use Permit

Jocelyn Murphy from Planning & Development discussed the changes that were made to the amendment since the last hearing regarding uses, renewals, and timelines for unplatted properties.

Misty Ventura, stated she is generally in support, but had some concerns regarding making certain PDs legal nonconforming. She suggested the language be amended to ensure that existing PDs would be considered legal uses once this was passed.

Motion: Following brief discussion, Mr. Aughinbaugh recommended Approval of the request, as amended to include allowance for uses approved as PD's before the adoption of the amendment to be considered legal uses and an addition to the non residential land use chart to identify indoor recycling allowed in I, J and K districts, seconded by Ms. Trevino. The motion passed 8-1 with Ms. Conlin voting against.

<i>Document received for written correspondence</i>					ZC-18-177
Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Misty Ventura	500 Main St		Support		Spoke at hearing

4. ZC-18-181 Maricela Clemente, Clemente Auto Sales (CD 4) – 3510 and 3616 NE 28th St. (Jno B York Survey Abstract No. 1754 1, 1.71 ac.) From: “B” Two-Family and “E” Neighborhood Commercial To: PD/E Planned Development for all uses in “E” Neighborhood Commercial plus auto repair and sales; site plan included, with waivers to residential adjacency, rear and side yard setbacks and signage

Joshua Anderson, representing the applicant, requested a 60-day continuance.

Motion: Following brief discussion, Mr. Gober recommended a 60-day continuance of the request, seconded by Ms. Trevino. The motion passed unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-18-181
Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Joshua Anderson	104 Walnut St, Weatherford, TX		Support		Representing applicant

5. ZC-18-203 Centergy River II LP (CD 9) – 601 Harrold St. (K.M. Van Zandt's Addition Lot 3R1 Block 11, 3.38 ac.) From: “MU-2” High Intensity Mixed Use To: Planned Development for all uses “MU-2” High Intensity Mixed Use, plus 10 stories for a single use office and/or hotel building; site plan waiver requested

This case was withdrawn by the applicant.